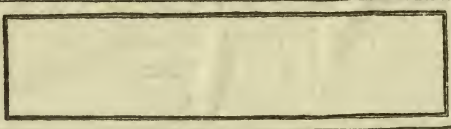
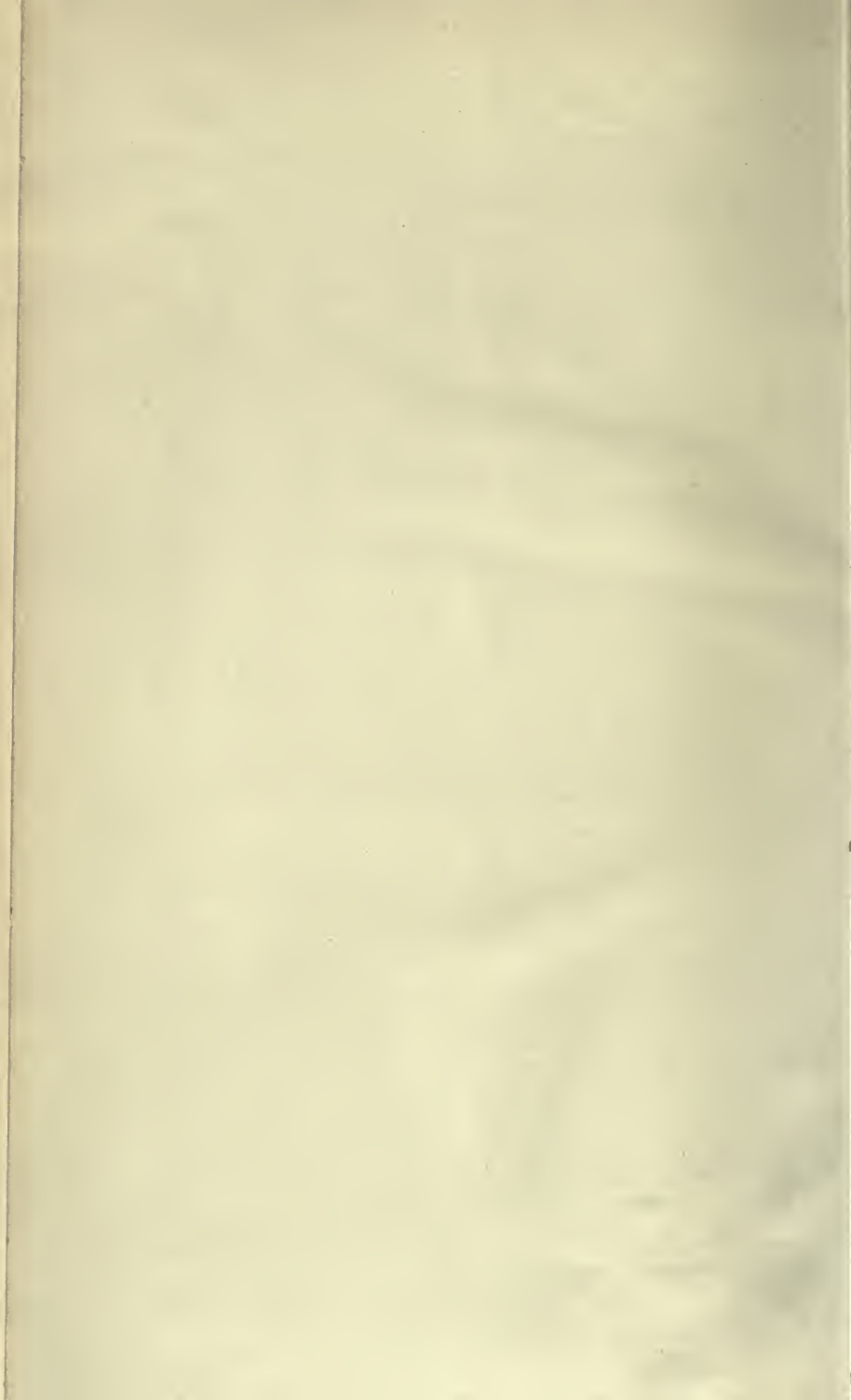


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CHARTER AND ORDINANCES

OF THE

CITY OF FRESNO

CALIFORNIA

ISSUED UNDER CHARTER PROVISIONS
BY AUTHORITY OF
THE BOARD OF TRUSTEES

EDITED BY
G. L. AYNESWORTH
and S. L. STROTHER

APRIL 30th, 1911

2000

JS 886
F8A3

OVER

APPROVAL

UNIV. OF
CALIFORNIA

EDITORIAL NOTE

The editors submit their work to the City and the public without apology. They were instructed to print the ordinances in the order of their passage, and to index them as fully as possible.

They feel that, considering their limited experience in, and facilities for, such work, it is done as well as anyone could do it. Any defects that may appear in it are not due to lack of pains in preparation, but to inevitable oversight of some things in attempting to co-ordinate the treatment of the same subjects in various ordinances.

Some explanation of the arrangement of the book in other respects should be made. The index to the Charter is given in the first of the book, for the reason that it is so long, and includes so many subjects in common with the ordinance index, that it was thought best to take it entirely away from the latter, so as to avoid confusion. Indeed, there are so many subjects common to the Charter and the ordinances, that we suggest that those having occasion to use the book should refer to both indexes.

There has been prepared and placed in the first of the book, a list of all ordinances of the City, in numerical order, giving a general idea of the subject of each, and, when repealed, the number of the repealing ordinance; if in the book, a statement that it is "published;" and if a tax, franchise or other ordinance listed in the appendix, that it will be found there.

The ordinances listed in the appendix are, many of them, still in force, or are ordinances which have fulfilled their function. The text of these may be found in the office of the City Clerk.

The heading in parenthesis at the top of the pages of the index refer to sections, subsections and pages. Where the double parenthesis occurs, the first number refers to section and the second number refers to subsection. If only one parenthesis occurs it refers to section number only.

**PRESS OF
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April, 1909, to April, 1913

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Thos. Coyle.....	Sergeant
John G. Wintermute.....	Chief of Fire Department
Thos. H. Baird.....	Asst. Chief of Fire Department

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James J. Senior	Deputy City Clerk
Fred'k Mortimer.....	License Collector
Herbert F. Briggs.....	Police Judge
Chris P. Jensen.....	City Engineer
Bert Cronkite.....	Deputy City Engineer
Thos. Thorn.....	Superintendent of Streets
A. E. Mussleman.....	Dep. Supt. of Streets
T. M. Robinson.....	City Electrician
G. P. Cummings.....	Assessor
J. R. Hickman.....	Treasurer
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Dr. A. H. Sweeney.
Dr. L. R. Willson.

Numerical List of Ordinances

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390. Relating to performances where liquors are sold...	Published
391. See list of Tax Ordinances.....	Appendix
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393. Amends 359.....	627
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402. Amends 394.....	Published
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407. Relating to Powers and compensation of Pound Keeper....	Published
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429. Amends 407.....	Published
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436. Concerning detrimental use of streets, etc.....	Published
437. Concerning incandescent and electric signs.....	Published
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452. Vetoed.	
453. Amends 221.	Published
454. See list of Election Ordinances	Appendix
455. Concerning prize fights	Published
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460. Concerning excavation in street, etc.	640
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467. Proposal to amend Charter.	
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505. Amends 497	Published
506. Amends 419.	Published
507. Amends 445	623
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516. Amends 444	627
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CHARTER OF THE CITY OF FRESNO*

ARTICLE I.

OF BOUNDARIES, RIGHTS AND LIABILITIES.

Section 1. The municipal corporation, now existing, known as the City of Fresno, shall remain and continue a body politic and corporate, in name and in fact, by the name of the City of Fresno, and by that name shall have perpetual succession; may sue and defend in all courts and places, and in all matters and proceedings whatever; and may have and use a common seal, and the same alter at pleasure; and may purchase, receive, hold and enjoy real and personal property, within and without the City of Fresno, and sell, convey and dispose of the same for the common benefit; and may determine and declare what are public uses, and when the necessity exists of condemning lands therefor, and what are the lands it is necessary to condemn; and may receive bequests, gifts and donations of all kinds of property, within and without the city, in fee simple or in trust for charitable or other purposes, and do all acts necessary to carry out the purposes of such bequests, gifts and donations, with power to manage, sell, lease or otherwise dispose of the same in accordance with the terms of the gift, bequest or trust.

Corporate name; rights, etc.

Sec. 2. The public buildings, lands and property, all rights of property, and rights of action, all moneys, revenues, and income belonging or appertaining to the City of Fresno, are hereby declared to be vested in said City of Fresno.

Property vested in city.

Sec. 3. The said City of Fresno shall continue under this charter, to have, hold, use, and enjoy all public buildings belonging to the City of Fresno, and lands and property, real and personal, rights of property, rights of action, suits, actions, moneys, revenues, income, books, documents, records, archives, claims, demands, and things in possession and action, of every nature and description, and shall be subject to all the obligations, debts, liabilities, dues, and duties of the existing municipality.

Sec. 4. Suits, actions and proceedings may be brought in the name of the City of Fresno for the recovery of any property, money, or thing, belonging thereto, in law or equity, or dedicated to public use by the City, or for the enforcement of any rights of, or contracts with, said City of Fresno, whether made or arising or accruing before or after the adoption of this charter; and all existing suits, actions, and proceedings in the courts or elsewhere, to which said city is a party, shall continue to be carried on by or against the said City of Fresno.

Suits and actions.

*As originally ratified by election Oct. 19, 1899, approved by Act of Legislature, Jan. 28, 1901, and as amended by election Feb. 13, 1905, approved by Act of Legislature Feb. 28, 1905.

City not liable for damages in certain cases.

Sec. 5. No recourse shall be had against the city for damage or loss to person or property suffered or sustained by reason of the defective condition of any sidewalk, street, avenue, lane, alley, court or place, or by reason of the defective condition of any sewer, or by reason of any defective drainage, whether any of said defects originally existed, or whether they were occasioned by construction, excavation or embankment; nor shall there be any recourse against the city for want of repair of any sidewalk, street, avenue, lane, alley, court or place, or by want of repair of any sewer; nor shall there be any recourse against the city for damage to person or property suffered or sustained by reason of accident on any sidewalk, street, avenue, lane, alley, court or place, or by falling from any embankment thereon or into any excavation therein; but in any such case the person or persons on whom the law may have imposed the obligation to repair such defect in the sidewalk, street or public highway, or in the sewer, and also the officer or officers through whose official negligence such defect remains unrepaired shall, with their sureties, be jointly and severally liable to the party injured for the damage sustained.

Boundaries.

Boundaries of city.

Sec. 6. The boundaries of the City of Fresno are as follows: Commencing at the southeast corner of section three, township fourteen south, range twenty east, Mount Diablo Base and Meridian; thence north to the northeast corner of said section; thence west to the northwest corner of section four in said township and range; thence south to the southwest corner of the northwest quarter of said section four; thence west to the northwest corner of the east half of the southeast quarter of section five in said township and range; thence south to the southwest corner of the east half of the southeast quarter of section eight of said township and range; thence east to the southeast corner of the west half of the southeast quarter of the southeast quarter of section ten in said township and range; thence north to the northeast corner of the west half of the southeast quarter of the southeast quarter of said section ten; thence west to the southeast corner of the northwest quarter of the southeast quarter of said section ten; thence north to the northeast corner of the west half of the northeast quarter of said section ten; thence east to the point of beginning.

Said boundaries include all of sections three, four and nine; the west half; the west half of the northeast quarter; the west half of the southeast quarter; and the west half of the southeast quarter of the southeast quarter of section ten; the east half of the southeast quarter of section five; the east half of the east half of section eight; all in township fourteen south, range twenty east, Mount Diablo Base and Meridian.

Wards.

Sec. 7. The City of Fresno is hereby divided into eight wards, numbered consecutively from one to eight inclusive, as follows:

1. All that portion of the City of Fresno bounded as follows: Commencing at the intersection of the center line of Magnolia street and the west boundary line of said city; thence east to the center line of Trinity street; thence south to the center line of Calaveras street (produced); thence northeast along the center line of Calaveras street to the intersection of said line with the center line of M street; thence northwesterly along the center line of M street to the northwesterly end thereof; thence north across Central Addition to the center line of Voorman avenue; thence east to the center line of San Pablo avenue; thence north along the center line of San Pablo avenue to the center line of Belmont avenue; thence west to the produced center line of Bloomington avenue; thence north to the produced north line of lot 13 of said Bloomington Park Tract; thence westerly to the southeast corner of lot 22 of said Bloomington Park Tract; thence northerly to the northeast corner of lot 26 of said Bloomington Park Tract; thence westerly to the northwest corner of lot 27 of said Bloomington Park Tract; thence southerly to the southwest corner of lot 31 of said Bloomington Park Tract; thence westerly to the northwest corner of lot 34 of said Bloomington Park Tract; thence westerly across Kroeger avenue to the northeast corner of said Buena Vista Addition; thence westerly along the north line of said Buena Vista Addition to the west boundary line of section 33 in township thirteen south of range twenty east, Mount Diablo Base and Meridian; thence south to the southwest corner of the northwest quarter of section four in township fourteen south of range twenty east, Mount Diablo Base and Meridian; thence west to the northwest corner of the east half of the southeast quarter of section five in said township and range; thence south to the center line of Magnolia avenue. (As changed by Ordinance No. 614.)

First ward.

2. All that portion of said City of Fresno bounded by the centers of Magnolia avenue, Trinity, Calaveras, L and Fresno streets and the west boundary line of the City, shall constitute the Second Ward. (As changed by Ordinance 416.)

Second ward.

3. All that portion of the City of Fresno bounded as follows: Commencing at the center of the intersection of L and Fresno streets, thence northwesterly to the center of the intersection of L and Calaveras streets; thence northeasterly to the center of the intersection of Calaveras and M streets; thence northwesterly to the center of the northwesterly end of M street; thence north across Central Addition to the center line of Voorman avenue; thence east to the center line of San Pablo avenue; thence north along the center line of San Pablo avenue to the center line of Belmont avenue; thence west to the produced center line of Bloomington avenue; thence north to the center of the intersection of Bloomington and Englewood avenues; thence east to the center of the intersection of Englewood and Glenn avenues; thence north to the center of the intersection of Glenn and La Salle avenues; thence east to the center of the intersection of La Salle and Blackstone avenues; thence south to the northwest corner of the southwest quarter of the southwest quarter

Third ward.

of section thirty-four in township thirteen south of range twenty east, Mount Diablo Base and Meridian; thence east to the center line of Weymouth avenue; thence south along the center lines of Weymouth avenue and Diana street to the center line of Q street; thence southeasterly along the center line of Q street to the center of the intersection of Q and Fresno streets; thence southwesterly to the point of commencement. (As changed by Ordinance No. 614.)

Fourth ward.

4. All that portion of the City of Fresno lying southwest of the center line of N street and between the centers of Fresno and Tulare streets shall constitute the Fourth Ward. (As changed by Ordinance 416.)

Fifth ward.

5. All that portion of the City of Fresno bounded as follows, to-wit: Commencing at the center of the intersection of N and Tulare streets; thence northeasterly along the center line of Tulare street to the center line of Tulare avenue; thence east to the east line of section three in township fourteen south of range twenty east, Mount Diablo Base and Meridian; thence north to the northeast corner of the southeast quarter of the southeast quarter of section thirty-four in township thirteen south of range twenty east, Mount Diablo Base and Meridian; thence west to the center line of Weymouth avenue; thence along the center lines of Weymouth avenue and Diana street to the center line of Q street; thence southeasterly to the center of the intersection of Q and Fresno streets; thence southwesterly to the center of the intersection of Fresno and N streets; thence southeasterly to the point of commencement. (As changed by Ordinance No. 614.)

Sixth ward.

6. All that portion of the City of Fresno southwest of the centers of K street and between the centers of Tulare street and Ventura avenue shall constitute the Sixth Ward. (As changed by Ordinance 416.)

Seventh ward.

7. All that portion of the City of Fresno bounded by the centers of Tulare avenue and Tulare and K streets, the center of Ventura avenue and the east boundary of the City shall constitute the Seventh Ward. (As changed by Ordinance 416.)

Eighth ward.

8. All that portion of the City of Fresno southeast of the center of Ventura avenue shall constitute the Eighth Ward. (As changed by Ordinance 416.)

(City redistricted pursuant to Sec. 23 of original Charter by Ord. 416, in effect April 28, 1902.)

ARTICLE II.

LEGISLATIVE DEPARTMENT.

Board of Trustees.

Sec. 10. The legislative power of the city shall be vested in a Board of Trustees, consisting of eight members. Each member thereof shall be at least 25 years of age, and a resident and qualified elector of the ward from which he is elected.

Qualifications.

Election of.

A Board of Trustees shall be elected every four years, one member from each ward, but by the votes of the entire city, the candidate from each ward receiving the highest number of votes to be declared elected. (As amended. Election Feb. 13, 1905.)

Sec. 11. Any vacancy occurring in the office of Trustee shall be filled by appointment by the Mayor, and the person so appointed by him shall possess the qualifications hereinbefore prescribed for members of said board, and shall hold office until the election and qualification of a Trustee to fill the vacancy, which election shall take place at the next succeeding municipal election.

Vacancy,
how filled.

Sec. 12. The Board of Trustees shall meet on the first Monday after the election of its members shall have been officially declared, and shall hold regular meetings on every first and third Monday monthly thereafter; provided, that if any regular meeting shall fall on a holiday, such meeting shall be held on the Tuesday following unless the Board of Trustees at the previous meeting shall by order entered in its minutes direct that a meeting shall be held on such holiday. It shall be lawful for the Board of Trustees to meet and transact any of its business on any legal holiday, and any business transacted at such meeting shall be as valid as if transacted on any other lawful day. (As amended. Election Feb. 13, 1905.)

Meetings.

Meetings on
Holidays.

Exceptions.

Sec. 13. Special meetings of the Board of Trustees may be called by the Mayor or by three Trustees. Five members shall constitute a quorum for the transaction of any business in which the concurrence of a larger number shall not by this Charter be required; provided, that no ordinance shall ever be passed by less than the affirmative votes of five members.

Special
meetings.

Quorum.

A less number than five members at any meeting may adjourn to another time and compel the attendance of absent members under such penalties as the Board of Trustees may prescribe by ordinance or resolution. (As amended. Election Feb. 13, 1905.)

Adjournment.
Compelling
attendance of
absent
members.

Sec. 14. The Mayor shall preside at all meetings of the Board of Trustees. The Board of Trustees shall establish rules for its proceedings. It shall have the power to punish its members for disorderly conduct in its presence; and may expel any member for malfeasance in office by an affirmative vote of seven of its members. The board shall also have the power to compel the attendance of witnesses, and the production of all papers relating to any business before that body, and may punish disobedience of its subpoena, or contemptuous or disorderly conduct committed in its presence, by fine not exceeding fifty dollars, or imprisonment not exceeding five days, or by both such fine and imprisonment.

Rules, etc.

Sec. 15. The Mayor and the chairman of each committee of the board shall have the power to administer oaths and affirmations relating to any business brought before the board or under consideration by any committee thereof.

Oaths.

Sec. 16. No ordinance shall be amended by reference to its title only; but when any ordinance is amended, the section, or, if subdivided, the subdivision amended, shall be set out in full as amended. (As amended. Election Feb. 13, 1905.)

Ordinances
amended, how?

- Ordinances to be entitled. Sec. 17. Every ordinance shall have a title briefly stating the general subject thereof. (As amended. Election Feb. 13, 1905.)
- Ayes and noes. Sec. 18. No proposed ordinance shall be adopted except by vote taken by ayes and noes, and the names be entered in the minutes.
- Legislation to be by ordinance. Sec. 19. All legislation by the Board of Trustees shall be by ordinance; other acts thereof may be by resolution, upon motion, or other customary and lawful method.
- Concurrence of 6 members, necessary when? No ordinance granting any franchise, or calling for an election or submission of a proposition to incur a bonded indebtedness, shall be passed without the concurrence of at least six members.
- Publication of ordinances. No ordinance other than such as is required by law to be passed at or within a time certain, shall be passed within five days after its introduction, nor until it has been published at least once in a newspaper published in the City of Fresno, or posted in three public places therein; provided, that if it be amended after so published, it shall be republished as amended before passage; provided further, that any ordinance other than such as grant franchises or propose the incurring of a bonded indebtedness, may be passed at any meeting by the affirmative votes of eight members, and so recorded, which by its terms may be made to take effect immediately without publication.
- Publication, when unnecessary. No ordinance granting any franchise shall be put upon its final passage within thirty days after its introduction, and no franchise shall be renewed before one year prior to its expiration. (As amended. Election Feb. 13, 1905.)
- Grants and renewals of franchises. Sec. 20. Every proposed ordinance passed by the Board of Trustees shall be submitted to the Mayor, the Clerk noting thereon the time of delivery to him. The Mayor shall consider the same, and if he approve it, he shall sign and return it to the Clerk; if he shall disapprove it he shall state his objection thereto in writing, and, in either case, return it to the Clerk within ten days, after receiving it. If he shall sign it or fail to return it to the Clerk within ten days, it shall become an ordinance. (As amended. Election Feb. 13, 1905.)
- Approval and veto of ordinances. Sec. 21. When such proposed ordinance shall be returned with the objections of the Mayor, the Board of Trustees shall, on or before its next regular meeting, proceed to consider and vote on the same. If it be again passed, by the vote of six members voting therefor, it shall take effect as if approved by the Mayor; otherwise it shall be finally lost. (As amended. Election Feb. 13, 1905.)
- Action on vetoed ordinances. Sec. 22. No ordinance passed by the board shall take effect until ten days after its passage and approval unless otherwise provided in the enactment.
- In effect. Sec. 23. The Board of Trustees shall, not later than the year 1912, and every fifth year thereafter, redistrict the city into eight wards, making them as nearly equal in population and as geographically compact as possible, but the city shall not be redistricted into wards within ninety days previous to any municipal election. (As amended. Election Feb. 13, 1905.)
- City to be re-districted every fifth year after 1912.

Sec. 24. The enacting clause of all ordinances shall be in these words: "The Board of Trustees of the City of Fresno do ordain as follows."

Enacting clause.

Sec. 25. Except as otherwise herein provided, no contract for supplies, printing, advertising, stationery, maintenance of prisoners, water, fuel, street sprinkling, street repairs, or lighting streets, public buildings, places or offices, shall be made for a longer period than one year; nor shall any contract be made to pay for water, fuel, gas, electric lights, or any other illuminating material at a higher rate than is charged to any other customer.

Duration of contracts.

Sec. 26. No contract calling for the payment of more than one hundred dollars shall be effective unless authorized by a vote of the Board of Trustees; when any contract shall be so authorized it shall, before it becomes effective, be presented to the Mayor for his approval; and the Mayor shall return the same to the board, or to the clerk thereof, within five days after receiving it. If he sign the same it shall then become a contract, but if he disapprove it, he shall state his objections thereto in writing. If the proposed contract be not returned with such approval or disapproval within said five days, it shall become valid as if he had approved the same. When a proposed contract is returned without the approval of the Mayor, the Board of Trustees shall, within ten days thereafter, proceed to consider and vote on the same. If it be again authorized by an affirmative vote of not less than six members, it shall become a valid contract of the city the same as if the Mayor had signed it, and not otherwise. The vote shall be taken by ayes and noes, and the result shall be entered in the minutes of the board.

Contracts over \$100 must be authorized by vote of Trustees.

Mayor's veto to contracts, etc.

Sec. 27. The Board of Trustees shall have power:

First. Except as in this Charter otherwise provided, to try, and by majority vote of all the members of the Board to remove from office appointees against whom charges have been preferred; and by not less than seven affirmative votes to remove any appointee at any time when in the judgment of the Board the public service will be improved thereby.

Removal from office by Trustees.

Powers of.

Second. To make by-laws and ordinances not repugnant to the Constitution of the United States or of the State of California, or any of the provisions of this Charter.

Power to make by-laws and ordinances.

Third. To levy and collect taxes and assessments on all property within the city, both real and personal, made taxable by law for state or county purposes, as hereinafter provided and limited.

Levy and collection of taxes.

Fourth. To buy, sell, use, lease, control, have police power over, improve and take care of the real estate and personal property of the city; provided, however, that said Board shall have no power to mortgage or hypothecate any property of said city for any purpose; provided further, that no real property shall be purchased or sold until the same shall have been appraised by three appraisers, one of whom shall be the Mayor, and two competent disinterested persons appointed by the Board. Such appraisers shall

Power over city property.

City property not to be mortgaged or hypothecated.

Property to be appraised before purchase or sale.

make a written report under oath to said board of the actual value of the same, and no title shall pass from said city, in case of a sale, and no warrant shall be drawn, in case of a purchase, until such appraisement; and provided further, that no real property shall be sold except after publication calling for sealed proposals for at least ten days in a newspaper published in said city.

Notice calling for sealed proposals must be published.

Fifth. To lay out, extend, alter or close streets and alleys, provide for the grading, draining, cleaning, repairing, widening, lighting, or otherwise permanently improving the same, and for the construction, repair, regulation and preservation of sidewalks, bridges, drains, curbs, gutters and sewers, and to prevent or remove obstructions thereto or to any part thereof, and to provide for the numbering of houses and spaces.

Powers with reference to streets

House numbering.

Power with reference to giant powder, etc.

Abatement of nuisances.

Board to have general police powers.

Slaughter houses, etc.

Inspection and weighing.

Sixth. To regulate or exclude the landing and storage of gunpowder and other combustible materials.

Seventh. To determine what are nuisances, and to prevent and remove the same.

Eighth. To regulate the maintenance of acid works, slaughter-houses, wash-houses, laundries, tanneries, offensive trades, and all other works, store-houses and business of every description that may endanger the public safety, health or comfort, and to restrict the prosecution thereof to such fixed limits as may seem proper or exclude such works and business from the city.

To provide for the appointment of an officer for the inspection, measurement or graduation of any merchandise, manufacture or commodity, and to regulate his duties and provide for his compensation. To provide public scales for weighing according to lawful standards, and to provide regulations for the use thereof and for the appointment and compensation of agent to conduct the same.

Power to license amusements.

Ninth. To fix and collect license taxes for revenue and regulation, on, and to regulate theaters, melodeons, dance halls, concerts and all theatrical and melodeon performances of any kind for which an admission fee is charged or which may be held in any house where wines or liquors are sold; circuses, shows, billiard tables, bowling alleys, and all exhibitions and amusements.

General power to fix license taxes.

To fix and collect a license tax for the purposes aforesaid on all taverns, hotels, lodging houses, restaurants, saloons, bar rooms, bankers, brokers, gold dust buyers, manufacturers, livery stable keepers, express companies and persons engaged in transmitting letters or packages, railroad and stage companies or owners, whose principal place of business is in said city, or who shall have an agency therein; to license and regulate auctioneers; to license, tax, regulate, prohibit or suppress, all tippling houses, dram shops, saloons, bars, bar rooms, raffles, hawkers, peddlers, pawn-brokers, refreshment or coffee stands, booths and sheds; to prohibit and suppress all dog fights, prize fights, cock fights, bull or bear or badger baits; also, to prohibit or suppress all gaming and all gambling or disorderly houses; to regulate, prohibit or suppress all

Saloons, etc.

Power to prohibit certain sports, gambling, etc.

houses of ill-fame; also, to fix and collect a license tax, for revenue, upon all lawful professions, trades or businesses not heretofore specified.

License tax on professions, etc.

Tenth. To provide and maintain all public buildings, parks or squares necessary or proper for the use of the city, within or without the limits of the same.

Maintenance of public buildings, etc.

Eleventh. To provide and maintain a morgue, and city hospital.

Morgue and city hospital.

Twelfth. To prevent and restrain any riot or riotous assemblage or disorderly conduct within said city, or on property owned or leased by it.

Riots and disorderly conduct.

Thirteenth. To establish and regulate markets.

Regulation of markets.

Fourteenth. To provide for conducting elections and appointing the necessary election officers.

Conduct of elections.

Fifteenth. To fix, alter and change the route of any railroad in the city, and regulate the speed at which the cars may run within the city limits, or any portion thereof.

Police power with reference to railroads

Sixteenth. To examine, either in open session, or by committee or commission, books, papers, vouchers, reports and statements of the several officers, or of any other person having custody, care, management, collection, disbursement or control of any moneys or property belonging, appertaining or appropriated to the city, or either of its funds, trusts or uses.

Power to audit accounts.

Examination of books, etc.

Seventeenth. To license for revenue and regulation hackney coaches, cabs, omnibuses, drays and other vehicles used for hire, and to regulate their stands and rates of fare, and to license or suppress runners for taverns or hotels.

Regulation of cabs and hotel runners.

Eighteenth. To examine and liquidate all accounts against the city, and to allow or reject the same or any part thereof, as found legal or illegal.

Power to allow or reject bills.

Nineteenth. To make appropriations authorized by law; to examine and audit, reject or allow the accounts of all officers or other persons having the care, management, collection or disbursement of any money collected for, belonging, appertaining or appropriated to the city, or any of its uses or trusts, and to determine, allow and pay the salary, fees or percentage which such officer or person may by law be entitled to receive, except as otherwise herein provided; to make contracts and agreements for the use and benefit of the city, such contracts and agreements in all cases to specify the fund or funds out of which payment for the same is to be made, and that the same shall be paid out of the moneys appropriated to such fund or funds for the fiscal year.

To examine and audit accounts of officers.

To make contracts.

In no case shall a liability be created or a warrant drawn against any fund beyond the actual amount of money existing in such fund wherewith to meet the same; provided, however, should the Board, or a majority thereof, contract or create any debt against the city, not authorized by the provisions of this Charter, such debt, claim or obligation shall be null and void as against the city or any

No warrant to exceed money in fund.

Unauthorized debts void as against city.

Trustee voting in favor of illegal debt, personally responsible and removable from office.
Regulation of cemeteries.

of its funds; but every Trustee voting in favor of the contracting or creation of any such illegal debt, shall be held personally responsible for the entire debt so created or contracted, and shall be deemed guilty of a malfeasance in office, and upon conviction shall be removed therefrom.

Twentieth. To control, enlarge and improve or abolish the cemeteries belonging to the city, and to acquire other cemeteries, and to sell or lease lots therein; to control and regulate interments, and to prohibit them within the city limits.

Police powers with reference to erection or alteration, etc., of buildings.

Twenty-first. To establish fire limits and prevent the erection of wooden buildings therein; to regulate the construction of buildings, sheds, awnings and signs; and to forbid the erection, alteration, improvement or repair of any building to be used for immoral or unlawful purposes, or in such manner as to obstruct the officers of the law; and to require permits for the erection, repair or improvement of buildings, and that all applications for such permits shall state the purpose for which the building is to be used.

Fire limits.

City water supply.

Twenty-second. To provide for supplying the city with water, and to regulate the sale and distribution thereof.

Street lighting.

Twenty-third. To provide for lighting the public streets, alleys, public buildings and public grounds, and to construct, purchase, lease, own, control, maintain and operate a system of lighting by artificial gas, natural gas, electricity or other means of illumination.

City prisoners.

Twenty-fourth. To provide and maintain a city prison, and for the care, feeding, working and clothing of the city prisoners; provided, that during such time as the city shall have no such prison, sentences to imprisonment for violations of the Charter or ordinances shall mean, and shall be executed by, imprisonment in the County Jail of Fresno County, within the city.

Assessments for improvements.

Twenty-fifth. To make real estate in said city limits liable for the construction of sidewalks, crossings and all other street improvements adjacent thereto, and provide for the forced sale thereof for such purposes.

Power to establish and regulate pound.

Twenty-sixth. To prevent or regulate the running at large of any animals; to establish a pound within or without the city, and to authorize the destruction, sale or impounding of any animal found running at large in the city or upon any of the public property of the city.

Boilers—poles, etc.

Twenty-seventh. To regulate or prohibit the use of steam boilers, gas and gasoline engines, the location of telegraph, telephone, electric light and other poles and wires, and the construction of entrances to cellars and basements from sidewalks.

Regulation of places of assembly or Exits to theaters, etc.

Twenty-eighth. To regulate the entrances to and exits from theaters, lecture rooms, public halls and churches, and the number and construction of such entrances and exits, and to prohibit the placing of chairs, benches, stools or other obstacles in the aisles of such buildings; also to ordain regulations for the construction or alteration of any classes of buildings where deemed necessary for the safety of persons, in cases of fire or otherwise.

Twenty-ninth. To regulate and control the construction and maintenance of, and to grant the right to construct and maintain, subject to control by the Board, pipes, tubes, conduits, signal bells, warning signs, wires and other electric, telegraph and mechanical appliances, in, along, over, under and across the streets; provided, that said appliances shall be so constructed and placed as not to interfere with the fire alarm system, nor with the extinguishing of fires, nor with the free use of the sidewalks and streets. Also to require railroad companies either to station flagmen or to place sufficient warning signals or signal bells on such street crossings as may, in the judgment of the Board, be necessary.

Regulation of the use of streets.

Conduits, etc.

Regulation of railroad crossings.

To construct or require any railroad corporation operating a railroad in or through the city, to construct all necessary and convenient crossing or bridges over or under such railroad tracks, and according to plans and specifications and directions therefor provided by resolution or ordinance of the Board of Trustees; and to require to be opened and maintained by any railroad company or corporation operating, maintaining and conducting any railroad through any portion of the city, all such street crossing as may now exist or that public convenience may require in the judgment of the Board of Trustees of said city; and, by resolution or ordinance, compel the opening of said crossings, and the maintenance and repair thereof as directed and required; and to prohibit the obstruction of any and all such crossings.

Opening of streets.

Thirtieth. To grant franchises by ordinance permitting any person, company or corporation to lay and maintain tracks and to pass with steam railroads along, upon and across or elevated above or placed below any street of the city; provided, that the free use of such street shall not be unnecessarily obstructed thereby; and provided further, that any such franchise shall be granted only after notice published for thirty days in a daily paper published in the city, and by ordinance passed by the affirmative votes of not less than six members of the Board of Trustees. Such grants shall be without prejudice to the rights of non-consenting owners to compensation for damages.

Grants of railway franchises.

Thirty-first. To grant franchises by ordinance for a term not exceeding twenty-five years for any lawful public service, and when for the construction and operation of street railroads on or along the streets of the city, upon the following terms, viz:

Grants of franchises for public services generally.

Whenever the Board of Trustees shall determine that a franchise to construct and operate a street railroad along and upon any of the streets of the city should be granted, it shall, after such determination, cause notice to be published for ten days in a daily newspaper published in the city, specifying the route over and along which it is determined to grant such franchise, and shall offer to grant the same to the person, company or corporation that shall agree to pay to the City of Fresno, at the expiration of five years after the franchise is granted, and thereafter semi-annually, the largest per centum of the gross receipts of such road; provided, that all grants of franchises for

Publication of notices.

Franchises to be granted to highest bidder.

Street railway fares not to exceed 5c.

street railways shall be upon condition that single fares on such roads shall not exceed five cents, and that only such rails as are the most approved pattern shall be made use of in the construction of the road.

3 per cent of gross receipts of railway to be paid to city after 5 years.

The Board may, in the granting of such franchise, impose such further regulations and restrictions in the use thereof as to it may appear expedient, and may also reject any and all bids and refuse to grant any franchise for the proposed route; provided, further, that the Board shall not grant any franchise for the construction of a street railway except upon conditions that at least three per cent of the gross receipts of such railway shall be paid to the city each year after the expiration of five years from the granting of the franchise.

Repair of streets by railway companies.

Thirty-second. To require every railroad company to keep the streets in repair between the tracks and along and within the distance of two feet upon each side of the tracks occupied by the Company.

Power to require filling of water holes.

Thirty-third. To require, upon such notice as the Board may direct, any lots or portions of lots within the city which may be covered with stagnant water a portion of the year, to be filled up to such a level or grade as will prevent the same from being so covered, and to assess the cost of such filling upon such real estate, and provide that it shall be a lien thereon; and to require and provide that the owners of lots fronting on any street or sidewalk of the city shall at all times keep such sidewalks free from weeds, grass and rubbish and other obstructions, and to remove all rubbish and unsightly matter from their property.

To require owners to keep sidewalks free from weeds, etc.

Power to fix duties and compensation of certain officers.

Thirty-fourth. To make all needful rules to govern the official conduct and duties of all officers and employees of the city whose duties are not defined by this Charter, and to impose additional duties upon those whose duties are stated; and to fix and regulate the charges and fees of all such officers where the fees are not otherwise fixed, and to compel the payment of all such charges and fees into the City Treasury.

Power to fix penalties for violation of ordinance of charter.

Thirty-fifth. To prescribe fines, forfeitures and penalties for the breach of an ordinance and for the violation of any provision of this Charter; but no such fine or other pecuniary penalty, shall exceed three hundred dollars in amount and no penalty of imprisonment shall exceed ninety days, but such punishment may be by both such fine and imprisonment; provided, that the violation of any ordinance of said city shall constitute a misdemeanor and may be prosecuted by the authorities of said city in a criminal action in the name of the People of the State of California, or be redressed in a civil action in any court of competent jurisdiction in the name of the City, at the option of the city authorities.

Civil or criminal prosecution for violation optionally.

Power to employ additional counsel.

Thirty-sixth. To authorize the Mayor to employ, in addition to the City Attorney, an attorney at law to prosecute and defend the interests or property rights of the City of Fresno, or any question involving the rights of the inhabitants thereof in any suit pending or to be brought for

or against the said city or any of its officers; and to provide for the employment and compensation of said attorney in any such suit or action, provided that where such compensation exceeds the sum of two hundred dollars, such employment or contract must be approved by the Board of Trustees.

Thirty-seventh. To make all rules and regulations necessary and proper for carrying into execution the foregoing powers and all other powers vested in the Board of Trustees by this Charter, or by general laws.

Incidental powers.

Thirty-eighth. To make and enforce all such other local, police, sanitary and other regulations as are not in conflict with the provisions of this Charter, or the constitution of this State.

Thirty-ninth. To provide for the erection and construction of necessary levees, water ways, and other structures within and without the city, where necessary to prevent the overflow of said city by water and to provide for the payment of the cost thereof.

Construction of levees, etc.

Fortieth. To appropriate annually a sum or sums of money, not exceeding in the aggregate one thousand dollars, for public concerts or other entertainments in the open air, which shall be free to all the public, and the dates, hours and places of which shall be under the control of the Board of Trustees.

Appropriations for concerts, etc.

Also to appropriate a sum not more than five hundred dollars annually, to be placed at the disposal of the Mayor, for use in furthering the ends of justice in such ways as to him shall seem best for the interests of the city, of which said sum no account shall be required of him.

Appropriation of money for Mayor's use.

Forty-first. To provide for licensing, inspecting and regulating dairies and slaughter-houses, whether within or without the city, where the milk, butter, cream, cheese and meats from same are brought into said city for sale or are sold in said city, and to provide for granting licenses only on inspection; to provide for licensing and regulating vendors of milk, butter, cheese, cream and meats; and to exclude dairies and slaughter-houses from the city; to grant power to the Board of Health to issue such licenses. (As amended. Election Feb. 13, 1905.)

Regulation of dairies and slaughter houses.

Sec. 28. The Board of Trustees shall, during the year 1905, and every five years thereafter, cause to be classified and codified under appropriate heads all ordinances then in force, and provide for the publication thereof in book or pamphlet form, together with the Charter; no other publication shall be required. The Board of Trustees shall also, at the end of each year, except the years aforesaid, cause to be published in pamphlet form, all ordinances passed or amended during such year and then in force.

Codification and publication of ordinances.

When such ordinances are so classified and codified as above provided, it shall be lawful for the Board of Trustees to revise and amend the same and to pass or adopt the whole as amended, as one or more ordinances, and no other publication other than such book or pamphlet shall be required.

Every officer shall be entitled to one copy of all such books or pamphlets, and a sufficient number shall be published for general distribution in the city. (Added. Election Feb. 13, 1905.)

ARTICLE III.

EXECUTIVE DEPARTMENT.

The Mayor.

Duties of
the Mayor.

Section 30. There shall be a Mayor, who shall be the chief executive officer of the city. He shall be at least thirty-two years of age.

Sec. 31. He shall vigilantly observe the official conduct of all public officers, and take note of the fidelity and exactitude, or the want thereof, with which they execute their duties and obligations, especially in the collection, administration and disbursement of the public funds and property; and the books, records, and official papers of all departments, boards, officers and persons in the employ or service of the city, shall at all times be open to his inspection and examination. He shall take special care to see that the books and records of the said departments, boards, officers and persons are kept in legal and proper form; and any official defalcation or willful neglect of duty, or official misconduct which he may discover or which shall be reported to him, shall be laid by him before the Board of Trustees, City Attorney or District Attorney, in order that the public interests may be protected, and the person in default be proceeded against according to law.

Messages.

One. He shall, from time to time, give the Board of Trustees information in writing relative to the state of the city, and shall recommend such measures as he may deem beneficial to its interests.

Enforce
laws, etc.

Two. He shall see that the laws of the State, the provisions of this charter, and the ordinances of the city are observed and enforced.

Have books
experted
yearly.

Three. He shall appoint a competent person or persons, expert in matters of bookkeeping and accounts, to examine the books, records, condition, and affairs of every department, board or officer, and report fully thereon, in writing, to him at least once in every year, and to enforce such examination. Any person refusing to submit to or permit such examination, or purposely delaying or impeding the same, must be suspended from office by the Mayor, and may be removed as for malfeasance in office.

Supervisory
power.

Four. He shall have a general supervisions over all departments and public institutions of the city, and see that they are honestly, economically and lawfully conducted.

Preservation
of order.

Five. He shall take all proper measures for the preservation of public order and the suppression of all riots and tumults, for which purpose he is authorized and empowered to use and command the police force; and if such

police force is insufficient, it shall be his duty to call upon the citizens, or the Governor for military aid, in the manner provided by law, in order that such riots or tumults may be properly and effectually suppressed.

Sec. 32. The Mayor shall preside at all meetings of the Board of Trustees, and shall be entitled to vote only on questions coming before said board when the votes of said Trustees are evenly divided.

To preside at meetings of Trustees.

Sec. 33. The Mayor shall sign in behalf of the city, all written contracts approved by him. All written contracts to which the city is a party shall be executed in duplicate, and one copy delivered to the other contracting party, and the other filed in the office of the City Clerk. The Mayor shall sign all warrants except for salaries, ordered by the Board of Trustees, unless the order shall be disapproved by him, in which case like proceedings with like effect, as near as may be, shall be had as in case of contracts disapproved by him, as provided in Section 26 of this Charter. (As amended. Election Feb. 13, 1905.)

Mayor to approve and sign all contracts and warrants.

Sec. 34. The Mayor shall sign all conveyances made by said city, and is authorized to acknowledge the execution of all instruments executed by said city, that require to be acknowledged.

Sign all papers, etc.

Sec. 35. He shall, at least once a month, together with the Clerk and City Attorney, count the cash in the city treasury and see that it corresponds with the books of the Treasurer and Clerk, and report the result of such count to the Board of Trustees.

Count cash.

Sec. 36. He shall see that all contracts and agreements with the city are faithfully kept and fully performed; and to that end shall cause legal proceedings to be commenced and prosecuted in the name of the city, against all persons or corporations failing to fulfill their agreements or contracts, either in whole or in part. He shall have the general supervision of all city officers elected or appointed; he shall have power to suspend any elective city officer (except a member of the Board of Trustees) for a dereliction, neglect or non-performance of duty, and shall report the same to the Board of Trustees. If the board, after a hearing, by affirmative vote of at least six members, approve of the suspension, they shall declare the office vacant, or continue the suspension for such time as they may deem proper, and such vacancy shall be filled by the Mayor, subject to the approval of the Board of Trustees.

Enforce faithful performance of contracts.

Sec. 37. During the temporary absence or disability of the Mayor, the Board of Trustees shall elect one of its members to act as Mayor pro tem, in like conditions during his term of office, who shall, after taking the oath as such, perform the duties of Mayor during such times.

Acting Mayor.

When a vacancy occurs in the office of Mayor it shall be filled for the unexpired term by the Board of Trustees by the election of a duly qualified person other than a member of such Board of Trustees. (As amended. Election Feb. 13, 1905.)

Vacancy in office to be filled by Board of Trustees.

Appointments
by Mayor.

Sec. 38. The Mayor, by and with the consent of the Board of Trustees, shall, in writing, appoint all officers of the City whose election or appointment is not otherwise provided for in this Charter or by law. When a nomination is made to the Board of Trustees, it shall be confirmed or rejected not later than the next regular meeting thereof; and in case the officer nominated is not confirmed, the Mayor shall, within ten days thereafter, nominate another, and may continue doing so until the place is filled.

Trustees not
to suggest
or request
appointments.

No member of the Board of Trustees shall ever suggest or request the appointment of, appoint or nominate any officer, clerk or employee to any place in the city government, except to fill a vacancy in the office of Mayor or City Clerk, and necessary election officers. (As amended. Election Feb. 13, 1905.)

Mayor shall
hold no other
office.

Sec. 39. The Mayor shall not, during the term for which he shall have been elected, hold any other office or be a member of any board or commission connected with the federal, state, county or city government, except as in this Charter otherwise provided. Nor shall he ever receive from the city, for any cause or reason, any other or greater compensation than the salary allowed him by this Charter as Mayor.

Other duties.

Sec. 40. The Mayor shall perform all such other duties as may be prescribed by law or ordinance.

City Clerk.

Duties of
City Clerk.

Sec. 41. There shall be a City Clerk who shall have the custody of and be responsible for the corporate seal and all books, papers, records and archives belonging to the city not in actual use by other officers or elsewhere by special provision committed to their custody; he shall be present at each meeting of the Board of Trustees, and keep a record of its proceedings; he shall keep separate books in which, respectively, he shall record all ordinances, contracts, and official bonds; he shall keep all of his books properly indexed and open to public inspection when not in actual use; he shall make out, sign and deliver to the collector, charging him therewith and taking his receipt therefor, all licenses and receipts for water rates; he shall number and keep a record of all demands passed by the board, showing the date of approval, amount and name of original holder, the number, on what account, and out of what fund payable. It shall be his duty to be constantly acquainted with the exact condition of the treasury. He shall, on application of any person indebted to the city, holding money payable into the city treasury, or desiring to pay money therein, certify to the Treasurer the amount thereof, to what fund applicable, and by whom to be paid. He shall, upon the written order of the Treasurer directing him to issue a receipt for money paid into the city treasury, charge the Treasurer with the amount received by him and give the person paying the same a receipt therefor. It shall be his duty to apportion among the several funds all public money at any time in the city treasury not by law or ordinance specifically apportioned and appropriated, and forthwith notify the Treas-

urer of such apportionment or appropriation. He shall counter sign and deliver to the proper officer all licenses and receipts for water rates, charging them therewith and taking their receipts therefor.

Sec. 42. He shall, on the first Monday of each month, or oftener if required, report in writing to the Mayor and Board of Trustees, the condition of each fund in the treasury. He shall make a semi-annual report to the same, showing the sources from which the city's revenues are derived, and the amount paid into the treasury from each source, and the amount expended, and for what purpose. He shall state in such report, separately, the revenues derived from licenses authorized by the Charter, and so separately of every other source of revenue, or money paid to the city. He shall set forth in the proper book a plain and businesslike statement of every money transaction of the city, so that he can at any time tell the exact condition of the city's finances, and each fund thereof.

He shall audit all claims for salaries of officers and employees of the city, except as otherwise in this Charter provided, and shall draw and sign warrants for amounts legally due on the same, and all warrants finally ordered by the Board of Trustees; he shall number and mark filed every claim properly presented for allowance, with the date of filing and refer the same to the Board of Trustees at its next session for its examination by committee or otherwise, and for its approval or rejection.

He shall designate and draw upon the proper fund for the payment of the same as ordered by the Board of Trustees; he must number all warrants consecutively in the order allowed and drawn, with the date, amount and to whom payable, and the same shall be entitled to payment in the same order as allowed and drawn.

Every demand against the city treasury, except for salaries of city officers and employees and except upon bonds, and coupons for interest, must be itemized, specifying the goods furnished, the service performed, or other basis of the claim, giving the date and amount of each item, and by whom ordered, and the amount of the claim, and must be verified by the oath of the claimant or someone for him having knowledge thereof to the effect that such claim is justly and wholly due and unpaid, and that each item thereof has accrued within one year next before its presentation for payment; and no claim or demand or any part thereof shall be allowed or paid unless so presented within one year next after it became due; and such allowance and payment, whether of the whole or a part of the amount claimed, shall be in full payment of the demand presented; provided, however, that any person whose claim has been properly presented within one year, and has been rejected, shall have the right to bring a suit thereon against the city within ninety days from the date of such rejection; otherwise such claim shall be barred; and any claim presented for allowance may, at the option of claimant, be deemed rejected if not acted on within ninety days.

City Clerk to report monthly or oftener to Mayor and Trustees.

Duty of Clerk with reference to claims.

Warrants, how drawn.

Demands against City Treasurer to be itemized and verified.

Must be presented within one year.

Suit to be brought within 90 days after rejection of demand.

Allowance of unauthorized demands prohibited.

Indebtedness to City to be deducted.

Demands of City officials.

Not paid when.

Post list of employees.

No demand shall be allowed or paid by any board or officer unless payment thereof from the city treasury is authorized by law; nor shall any demand be so allowed or paid in favor of any person or his assigns, who is indebted to the city, without first deducting therefrom the amount of such indebtedness; nor in favor of any person having the care, custody or control of public funds, unless the accounts of such persons have been presented, passed upon, and approved, as is or may be required by law; nor in favor of any officer or his assigns, who has failed to do any duty imposed upon him by law as such officer, or who withholds from the proper demand and custody of the city, any of its property. (As amended. Election Feb. 13, 1905.)

Sec. 43. He shall keep publicly posted in his office a list of all persons receiving salaries or wages from the city, with the amount of monthly salary or wages received by each opposite his name, which list shall be revised and corrected by him monthly, and perform such other duties as are or shall be imposed upon him by this Charter or by ordinance; he shall devote his entire time to the duties of his office, he shall have power to take affidavits and administer oaths in all matters relating to the business of the city and shall make no charge therefor.

License Collector.

Bond of License Collector.

Licenses to be paid in the treasury weekly.

License Collector to report delinquents weekly.

City Attorney to sue.

Attachment.

Costs of suit.

Sec. 44. There shall be a License Collector, appointed by the Mayor with the consent of the Board of Trustees, who shall give bond to the City in such amount as shall be prescribed by the Board, and with such sureties as shall be approved by the Mayor. It shall be his duty to receive and collect all city license taxes and charges, and all such money due the city not otherwise provided for, as the Board of Trustees may by ordinance direct, and pay the same over to the treasurer weekly. The time and manner of the collection of license taxes may be provided for by the Board of Trustees. (As amended. Election Feb. 13, 1905.)

Sec. 45. Whenever any person required by any city ordinance to take out a license shall fail, neglect or refuse to take out such license and pay therefor at the time and in the manner in such ordinance provided, or if any person required to take out any license shall transact, do or carry on any business, trade or occupation, without first having procured the requisite license for such business, trade or occupation, the License Collector shall report such delinquent to the City Attorney, who shall at once bring suit in the name of the City against the delinquent, and in such case the License Collector or City Attorney may make the necessary affidavit, as in other cases, for an attachment, and a writ of attachment shall issue, upon the filing of the affidavit, against the property of such delinquent, without an undertaking being filed by or on behalf of the city; and in such action the sum of fifteen dollars—ten dollars of which shall be paid to the City Attorney for services in prosecuting such action, and five dollars to the License Collector for reporting the same

—shall be included in the judgment as liquidated damages, together with the original debt and costs of the action; provided, however, nothing in this section shall authorize the Court, officer or any other person whomsoever, to make any claim or charge against the city for any services rendered in or about any such action; provided further, that in any such suit, no witness for the plaintiff shall be entitled to demand or receive any witness fees or mileage in advance, nor shall any witness be entitled to charge or receive any fees or mileage whatever unless the same be recovered as costs from the defendant; provided further, that any person who shall commence or continue to do, transact or carry on any business, trade, profession or calling, for which a license may by any ordinance be required to be taken out without first procuring such license, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not exceeding three hundred dollars or imprisoned not more than ninety days, or be punished by both such fine and imprisonment. Upon the trial of any criminal action provided for by this section, the defendant shall be deemed not to have procured the proper license unless he either produce it or prove that he did procure it; but he may plead in bar of the criminal action a recovery against him and the payment by him, in a civil suit or action, of the proper license money, damages and costs. (As amended. Election Feb. 13, 1905.)

Certain charges prohibited.

Witness fees not to be allowed unless recovered as costs.

Failure to procure license a misdemeanor.

Criminal action barred by recovery in civil suit.

Sec. 46. All billiard tables, bar fixtures, ten-pin alleys, pins and balls, furniture, crockery, glassware, liquors, and chattels of every kind used in transacting or carrying on or doing the business of a drinking saloon, bar, restaurant, billiard saloon, ten-pin alley, tavern, eating-house, ball-room, dance house, theater or circus, where by ordinance such business is required to be licensed, shall, without reference to the actual ownership of such property, be liable for and may be taken in attachment or on execution for the license money due on the business in which they are allowed to be used; and every dray, cart, wagon, carriage, hack, omnibus, or other vehicle required by ordinance to be licensed, together with the horse or horses commonly used thereon, shall, without reference to the actual ownership of such property, be liable for and may be taken in attachment or on execution for the license money due on such dray, cart, wagon, carriage, hack, omnibus, or other vehicle. There shall be added to every license not obtained within five days after the same becomes due and payable, the sum of five dollars, which shall become a part of the license, and be paid into the treasury in the same manner as other revenues.

Property liable to attachment for license fee.

Superintendent of Streets.

Sec. 47. There shall be a Superintendent of Streets, who shall be appointed by the Mayor, by and with the consent of the Board of Trustees, and shall hold office at the pleasure of the Mayor, and whose duty shall be to see that the laws, ordinances, orders and regulations, relating to sewers, drains, levees, streets, alleys and high-

Duties of Superintendent of Streets.

ways are fully carried into execution, and that the penalties thereof are rigidly enforced. He shall superintend and direct the cleaning of all sewers and drains, and keep himself informed of the condition of all the public streets and highways, and also of all public buildings, parks, lots, sewers, levees and grounds of the city, and report the same to the Board of Trustees.

Sec. 48. He shall perform such other duties as are hereinafter specified, or as the board may require of him; and he shall have the power and shall perform the duties required of the Superintendent of Streets by the act of the legislature of the State of California, entitled "An act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, or by any acts amendatory thereof, supplementary thereto, or substituted therefor. He shall keep a public office in the city, as provided by the board, and shall keep therein the records of his office and a register of all streets, alleys, sewers and drains, and all improvements and repairs made thereon, with an index for easy reference. Should he fail to see the laws, ordinances and regulations relating to the public streets and highways carried into execution, he and his sureties shall be liable upon his official bond to any person injured in person or property in consequence of said official neglect. All registers, records, books, contracts, plats, diagrams, and all papers and documents belonging to his office shall be delivered to his successor in office.

Register of streets, etc.

Section 49 repealed. Election Feb. 13, 1905.

City Engineer.

Sec. 50. There shall be a City Engineer, appointed by the Mayor subject to confirmation by the Board of Trustees, and to hold office at the pleasure of the Mayor. He shall be a competent surveyor and civil engineer, who shall have had not less than three years experience as such. (As amended. Election Feb. 13, 1905.)

Appointment and qualifications of City Engineer.

Sec. 51. It shall be his duty to perform all surveying and civil engineering required in the prosecution of the public works and improvements of the city, and to certify to the progress and completion of the same. (As amended. Election Feb. 13, 1905.)

Duties of Engineer and bond.

Sec. 52. He shall, together with the Plumbing Inspector and Chief of the Fire Department, inspect all plans and specifications of all the contemplated buildings, repairs or improvements of buildings within the city, when required by the building ordinances of said City, and if found to conform to the requirements of the ordinances, he shall, with them, sign a permit for the erection of the same. He shall examine and see that all the buildings and fixtures thereof, balconies, porches, awnings and signs, except as aforesaid, are constructed in a safe and substantial manner, according to the ordinances and shall report to the Mayor any failures in those respects. (As amended. Election Feb. 13, 1905.)

Must inspect plans and specifications for buildings, repairs or improvements.

Must see that buildings, etc., are constructed properly.

Sec. 53. If, upon examination of plans and specifications, it be found by the said Engineer, or Plumbing Inspector, or Chief of the Fire Department, that they do not conform to the requirements of the law, they shall give written notice to the owner or architect designing them, specifying the points of variance therefrom. The City Engineer shall inspect the works of construction of all such structures as are permitted from time to time, and upon discovery of any variance from the plans or specifications as permitted, he shall order the unlawful work stopped and at once make report thereof to the Mayor. (As amended. Election Feb. 13, 1905.)

Duty with respect to defective specifications.

Must stop unlawful work and report same to Mayor.

Sec. 54. He shall make monthly reports to the Board of Trustees of the plans, specifications and structures examined, and the results thereof, and of all variations from, or violations of the law respecting the same. (As amended. Election Feb. 13, 1905.)

Engineer to make monthly reports to Trustees.

Sec. 55. He shall do such other work pertaining to his profession as he may be directed to do by the Board of Trustees or by any general law of the State of California. He shall keep a public office within the city, as provided by the Board of Trustees, and shall keep therein the records of his office and all maps, plats, surveys and certificates pertaining thereto, with an index for easy reference; also all copies of plans and specifications for buildings, structures, improvements or repairs presented to him for permits, with a statement of the location of each, made of record, and numbered as filed. All such records, maps, plats, surveys, certificates, plans, specifications and monuments as filed or recorded, shall be the property of the city, and shall be by him turned over to his successor in office. (As amended. Election Feb. 13, 1905.)

Office and records.

City Attorney.

Sec. 56. There shall be a City Attorney who shall be appointed by the Mayor, by and with the consent of the Board of Trustees, who shall be an attorney at law, admitted to practice by the Supreme Court of this State. It shall be his duty to prosecute on behalf of the people, all cases before the Police Court for all violations of this Charter and of city ordinances and resolutions. It shall be his duty to attend to all suits and other matters to which the city is a party, or in which the city may be legally interested; provided, the Mayor and Board of Trustees shall have control of all litigation of the city, and may direct an attorney, selected by the Mayor, to take charge thereof, or to assist the City Attorney therein. The City Attorney shall give his advice or opinion in writing to the Mayor, Board of Trustees or other city officers, whenever required to do so, and do such other things appertaining to his office as by the Board of Trustees or Mayor may be required of him. He shall pass upon the validity of all bonds given to and all contracts made with the city. He shall, when required by the Board of Trustees or any member thereof, draft any and all proposed ordinances, resolutions, laws, rules, contracts, bonds and all other legal papers for the city; and attend all meetings of the Board of Trustees when requested by the Mayor, or as required by ordinance. (As amended. Election Feb. 13, 1905.)

Appointment and qualifications of City Attorney.

Duty with reference to suits.

Mayor and Trustees may employ special counsel.

To advise Mayor and Trustees and other officers.

To pass on bonds and contracts.

Draw ordinances and legal papers.

Attendance at meetings

ARTICLE IV.

JUDICIAL DEPARTMENT—POLICE COURT.

- Police Court. Sec. 60. There is hereby created, in and for the City of Fresno, a court which shall be known as the Police Court of the City of Fresno.
- One Judge. Sec. 61. Said court shall consist of one judge, who shall be a duly licensed attorney of the Supreme Court of the State of California.
- Jurisdiction. Sec. 62. Said court shall have exclusive jurisdiction:
 (1). In all prosecutions for violations of the city ordinances.
 (2). In all actions for the recovery of any fine, penalty or forfeiture, and the enforcement of any obligation or liability prescribed or created by the city ordinances and in which the sum sued for does not amount to three hundred dollars.
- Concurrent jurisdiction of. Sec. 63. Within the city limits said court shall have concurrent and co-ordinate jurisdiction with township Justices' Courts in all matters and things in which said Justices' Courts now or may hereafter have jurisdiction; and the judge of said Police Court shall have as aforesaid like authority, power and jurisdiction as the justices of said Justice's Court.
- Appeals. Sec. 64. Appeals may be taken to the Superior Court of the State of California, in and for the County of Fresno, from the judgments and orders of said Police Court, in all cases in which appeals now are or may hereafter be taken to said Superior Court from said Justice's Court and Police Courts.
- Appeals, procedure in case of. Sec. 65. In all proceedings in and appeals from said Police Court, the pleadings, practice, procedure and laws now applicable or that may hereafter be made applicable to said Justice's or Police Courts, are hereby adopted and made applicable to said Police Court.
- Disability of Police Judge. Sec. 66. Upon the sickness or disability of the judge of said Police Court, he may cause to preside in his place any qualified Justice of the Peace of the County of Fresno.
- Open. Sec. 67. Said Police Court shall be open for the transaction of business at all times.
- Courtroom and supplies. Sec. 68. The Board of Trustees shall provide a courtroom and court-room accommodations, dockets, blanks and stationery free of charge for said court.
- Fines, etc. Sec. 69. All fines and other moneys received or collected by the judge of said Police Court, for or on account of the City of Fresno, shall be paid into the city treasury on the first Monday in each month.
- Court officer. Sec. 70. The Chief of Police shall assign a police officer for attendance on said court to preserve order therein, enforce its orders and serve its process.
- Undetermined actions. Sec. 71. All actions and proceedings pending and undetermined in the existing City Recorder's Court shall be proceeded with, heard, tried and determined in said Police Court hereby provided for, before said judge, the same as if said actions or proceedings had been originally commenced in said Police Court.

ARTICLE V.

DEPARTMENT OF PUBLIC WORKS.

Sec. 80. The Board of Trustees shall, except as otherwise provided in this Charter, take possession and have the custody and control of all maps, surveys, field notes, records, plans, specifications, contracts, models, machinery, tools, appliances, contract rights, privileges, books, documents, papers, archives and property belonging to said city, heretofore kept by or in the offices of the City Surveyor or Superintendent of Streets, or kept by or in the possession of any other officer, and pertaining to any public buildings or public works of the city. (As amended. Election Feb. 13, 1905.)

Property and records.

Sec. 81. The board shall have charge and superintendence of all public work of every kind, not otherwise controlled by general law, to be done for the city, and also of furnishing all material and supplies for public use, except as otherwise provided in this Charter. It shall be the duty of the board to inspect vigilantly all parts of the city, and cause to be done, from time to time, such work as it shall deem necessary or proper.

Have charge of all public work.

Sec. 82. All public work authorized by the Board of Trustees to be done, and not within the provisions of the general law of the State of California operating thereon, and all materials and supplies to be furnished for public use, shall be done and furnished under written contract, except as hereinafter provided. Before awarding any such contract for doing any work or furnishing any materials or supplies for the city, the Board shall cause notice to be posted conspicuously in its office and published not less than ten days in a newspaper published in the city, inviting sealed proposals for the contemplated work or materials or supplies, and in case the estimated cost of the same exceed five thousand dollars, to be so posted and published for not less than twenty days; except that any repair or improvement or materials or supplies not exceeding an estimated cost of three hundred dollars may be made by the Board of Trustees under written contract, or otherwise, without advertising for sealed proposals, but no piece of repair work or improvement, or bill of materials or supplies or labor shall under any circumstances be subdivided for the purpose of bringing the estimated cost within the limit herein provided; provided, however, that should there be imminent danger to the city from inundation, the Board may, in its discretion, contract for the immediate construction or repair of levees without such notice, posting or publication. Provided, further, that the Board of Trustees may contract for the publication of notices, ordinances and resolutions, and for all public printing, on the best terms obtainable, with or without advertising for proposals, as they deem most conducive to the public interest. The words "materials and supplies" as used in this section shall include implements and machinery. (As amended. Election Feb. 13, 1905.)

Work, materials and place to be arranged under written contract.

Sealed proposals to be invited except where estimated cost is \$300 or less.

Subdivision of contract prohibited.

Construction and repair of levees.

Contract for publication and public printing. Definition.

Form of proposals; to be accompanied by check.

Sec. 83. All proposals shall be made upon printed forms, to be prepared by the Board and furnished gratuitously upon application. All proposals offered shall be accompanied by a check, certified by a responsible bank, payable to the order of the Mayor and clerk of the board, for an amount not less than ten per cent of the aggregate of the proposal, and no proposal shall be considered unless accompanied by such check. No person, corporation, or firm shall be allowed to make, file or be interested in more than one bid for the same work or supplies. If, on the opening of said bids, more than one bid appear in which the same person, corporation or firm is interested, such bids shall be rejected.

Opening of bids and awarding contracts.

Sec. 84. On the day and at the hour specified in said notice inviting sealed proposals the board shall assemble and remain in session for at least one hour thereafter, and all bids shall be delivered to the Board by the bidder or his agent before the expiration of the hour named in the advertisement. No bid not so delivered to the Board shall be considered. Each bid as it shall be received shall be numbered and marked "filed" by the City Clerk and authenticated by his signature. At the expiration of the hour stated in the advertisement within which the bids will be received, the board shall, in open session, open, examine and publicly declare the same, and an abstract of each bid shall be recorded in the minutes of the board by the clerk. Before adjourning, the board shall compare the bids with the record made by the City Clerk, and shall, thereupon, at said time, or at such other time, not exceeding twenty days thereafter, as the board may adjourn to, award the contract to the lowest bidder, except as otherwise herein provided. Notice of such award shall forthwith be posted for five days by the clerk of the board in some conspicuous place in the office of the board. The board may reject any and all bids, and must reject the bid of any party who has been delinquent or unfaithful in any former contract with the city, and all bids other than the lowest regular bid; and on accepting said lowest bid, shall thereupon return to the proper parties the checks corresponding to the bids rejected. If all bids be rejected, the board shall return all the checks to the proper parties, and again invite sealed proposals, as in the first instance. The check accompanying the accepted bid shall be held by the clerk of the board until the contract for doing said work, or furnishing said materials or supplies, as hereinafter provided, has been entered into, whereupon said certified check shall be returned to said bidder. If said bidder fail or refuse to enter into the contract to do said work, or furnish said materials or supplies, as hereinafter provided, then the certified check accompanying his bid, and the amount therein mentioned, shall be forfeited to the city, and shall be collected and paid into the street fund. The board shall have no power to relieve from or remit such forfeiture.

Penalty for collusion.

Sec. 85. If at any time it shall be found that the person to whom a contract has been awarded has, in presenting any bid or bids, colluded with any other party or

parties, for the purpose of preventing any other bid being made, then the contract so awarded shall be null and void, and no recovery shall be had thereon, and the board shall advertise for a new contract for said work.

Sec. 86. All contracts shall be drawn under the supervision of the City Attorney, and shall contain detailed specifications of the work to be done, the manner in which it shall be executed, and the quality of the materials to be used, or the quality and quantity of the materials or supplies to be furnished. No change or modifications in the plans or specifications, or quality or quantity of the materials or supplies to be furnished, shall be made after proposals for doing the work or furnishing said materials or supplies have been called for, except by unanimous vote of the Board of Trustees. All contracts shall be signed in duplicate, one of which, with specifications and drawings, if any, of the work to be done, and the materials to be furnished, shall be filed with the City Clerk, and the other, with said specifications and drawings, shall be delivered to the contractor. At the same time with the execution of said contract, said contractor shall execute to said city, and deliver to City Clerk, a bond in the sum named in the notice for proposals, with two or more sufficient sureties to be approved by the Mayor, or shall deposit with the City Clerk a certified check upon some solvent bank located in this State for said amount for the faithful performance of said contract. The qualifications of such sureties shall be the same as of sureties upon the official bonds of County officers. The contract shall specify the time within which the work shall be completed, or the materials furnished, or during what time or when the supplies shall be furnished, as specified in the notice inviting proposals therefor. The Board of Trustees may extend said time, but in no event for more than ninety (90) days beyond the time originally fixed for its completion, except by the unanimous consent of the Board of Trustees. In case of failure on the part of the contractor to complete his contract within the time fixed in the contract, or within such extension of said time as herein provided, his contract shall be void, and the Board of Trustees shall not pay or allow to him any compensation for any work done or supplies furnished by him under said contract beyond such sum as in the judgment of the Board of Trustees, the work done or materials furnished are actually worth to the city, less the detriment suffered by the city by such loss of time in the completion of the same. (As amended. Election Feb. 13, 1905.)

Contracts,
how executed.

Bond of
contractor.

Contract to
specify time for
completion.

Extensions.

Effect of
contractor's
default.

Sec. 87. The Board of Trustees is hereby authorized to adopt, establish and maintain a system of levees, canals and drainage, and to repair, maintain, construct and control all levees, canals and outfall sewers and other works necessary to the protection and safety of the city. The purposes for which any and all of the works in this section mentioned are or may be constructed are hereby declared public uses, and the City of Fresno is hereby authorized to proceed at any time, under the provisions of the statutes for that purpose, to condemn for such use any and all

Drainage and
sewer system.

Condemnation
of property
authorized.

property necessary to the construction and maintenance of such works; provided, however, no system or plan for any of the work in this section authorized to be performed shall be followed by construction thereof where the expenditure thereon in any year shall exceed the income and revenue provided for such year, without compliance with the requirements of Article VIII of this Charter. As amended. Election Feb. 13, 1905.)

ARTICLE VI.

ACQUISITION OF PUBLIC UTILITIES.

Section 90. It is hereby declared to be the purpose and intention of the People of the City of Fresno that such public utilities as shall be deemed best for the interest of the people shall be acquired and owned by the City. (As amended. Election Feb. 13, 1905.)

Sec. 91. The Board of Trustees may, by the affirmative vote of at least six members, and shall, upon petition therefor signed by a number of the qualified electors of said city not less than thirty-five per cent of the number voting at the last general elections in the city—and so ascertained by the Board of Trustees from satisfactory affidavits—submit by ordinance to the qualified electors of the city, at a special election thereby called for the purpose, a plan for the acquisition of one or more public utilities, and its adoption and the issuance of bonds of the city for the payment therefor. The provisions hereof shall apply to the acquisition of water works, electric light or other works for illuminating and for power, gas works, local telegraph or telephone works, street railroads, or other public utilities. (As amended. Election Feb. 13, 1905.)

Sec. 92. Repealed. Election Feb. 13, 1905.

Sec. 93. Before formulating or submitting any plan for the acquisition of any public utility, the Board of Trustees shall cause to be ascertained and made an estimate of the probable cost of the purchase and establishment thereof, if such utility can be purchased; or, if it cannot be purchased, then the cost of its condemnation; and full estimates of the construction of such utility, if it cannot be purchased; and the plan which the Board of Trustees shall determine to be for the best interest of the city shall be submitted to a vote of the qualified electors, as set forth in Section 94 of this Charter. (As amended. Election Feb. 13, 1905.)

Sec. 94. The ordinance calling such election shall contain a statement of the plan adopted and proposed for the acquisition of such public utility or utilities, naming the same, the estimated cost or price thereof, and shall otherwise conform to the provisions of this Charter concerning elections for the incurring of bonded indebtedness, and the law for holding elections therefor. No question other than the acquisition of such public utilities or utility upon the plan proposed and the incurring of the bonded indebt-

Limitation on expenditure.

Ownership of public utilities.

Special elections to be called for purpose of acquiring public utilities.

Estimate of cost to be made.

Contents of ordinance calling election.

edness therefor shall be submitted at such election. (As amended. Election Feb. 13, 1905.)

Sec. 95. Repealed. Election Feb. 13, 1905.

Sec. 96. No indebtedness shall be incurred under this or any other provision of this Charter which, together with the existing indebtedness shall exceed ten per centum of the assessed value of all real and personal property of the city as shown by the last assessment roll. (As amended. Election Feb. 13, 1905.)

Limit of indebtedness.

Sec. 97. Repealed. Election Feb. 13, 1905.

Sec. 98. Renumbered Section 123.

Sec. 99. Renumbered Section 124.

Sec. 100. Renumbered Section 125.

Sec. 101. In the event of the determination by the electors herein provided for, to acquire one or more public utilities, the Board of Trustees shall have power to create such boards and officers as may be needed to carry out the purposes of ownership by the city of such public utilities as may be acquired. (Added. Election Feb. 13, 1905.)

Board of Trustees to create necessary boards and officers.

ARTICLE VII.

TAX LEVY.

Section 110. The Board of Trustees shall by resolution on or before the first Monday of September in each year, fix the rate of city taxes, designating the number of cents on each hundred dollars of property levied for each fund, and shall levy the city taxes upon the taxable property therein. (As amended. Election Feb. 13, 1905.)

Taxes to be levied when.

Sec. 111. The levy for all purposes for any one year shall not exceed one dollar on each one hundred dollars of the assessed value of all real and personal property within the city, except a levy for the payment of the bonded indebtedness of the city and the interest thereon, or other special tax voted by the people.

Limit of tax.

Sec. 112. The revenues of the city shall be apportioned by the Treasurer, as paid in, to the respective funds to which they belong, as far as possible; and there is hereby established the following named funds, to-wit: Bond Fund, Street Fund, Sewer Fund, Police Fund, Fire Fund, Public Light Fund, Library Fund, Park Fund, a General Fund, and such others as the Board of Trustees may prescribe. All sums which the Treasurer cannot identify, or which shall not be directed to a particular fund by the City Clerk, shall be apportioned to the General Fund.

Apportionment of funds.

The revenue derived from licenses, license taxes and business or trades taxed, shall be applied by the Treasurer to the various funds as other moneys collected from taxes.

Application of license taxes.

It shall not be lawful to transfer money from one fund to another, or use the money in the Bond Fund otherwise than in payment of the principal or interest of the bonded indebtedness; provided, however, that in case of urgent

Money not to be transferred except from general fund.

Balances to be transferred to general fund.

need, money may be transferred from the General Fund to another fund sufficient to supply the need, by way of loan to such fund, the General Fund to be reimbursed from such special fund as soon as sums sufficient for that purpose have been placed to its credit.

At the end of each fiscal year, all money remaining in any particular fund, except the bond fund, park fund and library fund, shall be by the Treasurer, upon the order of the City Clerk, transferred to the General Fund, the Clerk carefully noting the amount thereof, and the fund from which transferred so that the same may be identified. (Added. Election Feb. 13, 1905.)

ARTICLE VIII.

BONDED INDEBTEDNESS.

Propositions to incur bonded indebtedness.

Section 120. In proceeding for the acquisition of public utilities, and whenever the Board of Trustees shall determine by the affirmative vote of not less than six members thereof that the public interest requires the construction or acquisition of any permanent municipal building or improvement, the cost of which in addition to the other expenses of the city, will exceed the income and revenue provided for the city for any one year, they must, by ordinance, submit a proposition to incur a bonded indebtedness for such purpose to the electors of the city, at an election to be held for that purpose. Such ordinance shall specify the purpose for which the proposed indebtedness is to be incurred, the estimated cost of the building, improvement or utility, the amount of the proposed bonded indebtedness, the number and character of the bonds to be issued, and the rate of interest thereon. (As amended. Election Feb. 13, 1905.)

Notice of Bond Election, how given.

Sec. 121. The ordinance required by Section 120 calling such special election shall fix a day on which such election shall be held, state the manner of holding the same, and of voting for or against incurring such indebtedness. Such ordinance shall be published once a day for at least seven days in some newspaper published at least six days a week in said city, or once a week for two weeks in some newspaper published less than six days a week in said city, and one insertion each week for two succeeding weeks shall be a sufficient publication in such newspaper published less than six days per week; and no other notice of the election need be given.

Two-thirds of the qualified electors must assent.

Such election shall be held in the manner provided by law for holding elections in the city, and the assent of two-thirds of the qualified electors voting thereon at such election shall be necessary to authorize the issuance of such bonds for such purpose. (Added. Election Feb. 13, 1905.)

Bonds, how issued.

Sec. 122. The bonds issued under the provisions of this article, or under any other provision of this Charter, shall be of the character known as serial bonds, and shall be payable in such lawful money of the United States as shall be determined by the Board of Trustees at or before their issue.

Not less than one-fortieth part of the whole amount of indebtedness shall be paid each and every year, on a day to be fixed by the Board of Trustees, together with the interest on all sums unpaid at such date. The bonds so issued shall be in denominations not exceeding five hundred dollars, and preference in the sale and allotment thereof shall be given to subscribers for the smallest amounts. Said bonds must be payable on the day and at the place fixed therein, and with interest at the rate specified therein, but such interest shall not exceed five per cent per annum, payable semi-annually. Such bonds, when issued may be sold by the Board of Trustees from time to time as required, and in such quantities as they may determine, but the same must be sold for cash in lawful money of the United States, as aforesaid, to the highest bidder, at not less than par, after having been advertised in such newspaper and in such other manner as the Board of Trustees may elect; provided, that such sale of bonds shall be advertised in some newspaper of general circulation published in said city, for at least thirty days. They shall be sold under sealed proposals, and the Board of Trustees shall have the right to reject any or all bids made for the purchase thereof. The proceeds of such sale shall be placed in the treasury to the credit of the proper fund, and shall be applied exclusively to the purposes and objects mentioned in the ordinance authorizing their issue until such objects are fully accomplished, after which, if any surplus remains, such surplus shall be transferred to the General Fund. (Added. Election Feb. 13, 1905.)

Sec. 123. Such bonds shall be signed by the Mayor and by the Treasurer, and shall be counter-signed by the City Clerk. The coupons shall be numbered consecutively and signed by the Treasurer, and the bonds and coupons shall be payable at the office of the Treasurer and no warrant need be issued therefor. (Formerly Section 98. As amended. Election Feb. 13, 1905.)

Sec. 124. At the time of levying the municipal tax and in the manner provided for such tax levy, the Board of Trustees shall levy and collect annually a tax sufficient to pay the annual interest on such bonds, and also the proper aliquot part of the aggregate amount of such indebtedness so incurred. Such taxes shall be in addition to all other taxes levied for municipal purposes, and shall be collected at the same time and in the same manner as other municipal taxes are collected. (Formerly Section 99. As amended. Election Feb. 13, 1905.)

Sec. 125. A neglect or refusal on the part of the Board of Trustees, or any member thereof, to comply with the provisions of Articles VI, VII or VIII of this Charter, imposing duties on them, shall constitute cause for removal from office. (Formerly Section 100. As amended. Election Feb. 13, 1905.)

Section 131 to 140, inclusive. Repealed. Election Feb. 13, 1905. See Art. IX.

1-40 of indebtedness with interest to be paid yearly.

Denomination of bonds.

Payment and place of payment.

Sale of bonds.

Application of proceeds.

Bonds, how executed.

Taxation for payment of interest and indebtedness.

Trustees, cause for removal from office.

ARTICLE IX.

EDUCATIONAL DEPARTMENT.

Board of
Education
established.

Section 130. The government of the public schools of the City of Fresno, including the whole of the City of Fresno school district, shall be vested in a Board of Education, to consist of five members to be called school directors, and who shall receive no compensation, who shall be elected at the same time and for the same term of office as the members of the Board of Trustees. (As amended. Election Feb. 13, 1905.)

Members of
Board,
how chosen.

Sec. 131. The members of the Board shall be elected from the City of Fresno School District and by the vote of the whole extent thereof, and the five persons receiving the highest number of votes therefor shall be declared elected; provided, that the part of said District lying outside the city limits shall be laid off by the Board of Trustees into one or more election precincts, for all school purposes; and at such elections, the qualified electors shall vote in the election precinct of their residence only. (Added. Election Feb. 13, 1905.)

Power of Board
with reference
to High School.

Sec. 132. The Fresno City High School is hereby recognized as an established institution, and the law governing the Board of Education in reference thereto shall be such as is now or may at any time be in force as the general law of the State in such case provided, and the duties of the Board and of the Board of Trustees respecting estimates and levying taxes therefor shall be as by such law prescribed. (Added. Election Feb. 13, 1905.)

ARTICLE X.

HEALTH DEPARTMENT.

Constitution
and
organization
of Board.

Section 160. There shall be a health department under the management of the Board of Health. Said Board shall consist of five members who shall be appointed by the Mayor, by and with the consent of the Board of Trustees. The Board of Health shall select one of their number as president, who shall act as such for one year. Each member shall be a duly licensed physician in accordance with the laws of the State. They shall receive no compensation for their services, and their term of office shall be until the next regular election and qualification of city officers, and until their successors are appointed and qualified. (As amended. Election Feb. 13, 1905.)

Qualifications
and
compensation.

Meetings.

Sec. 161. Regular meetings of the Board of Health shall be held once a month, and special meetings when called by the president or any three members, and all meetings shall be public. Three members shall constitute a quorum for the transaction of any business.

Power of
Board.

Sec. 162. Said Board of Health shall have supervision of all matters appertaining to the sanitary condition of the city and public institutions thereof, and full powers are hereby given to said board over all questions of foul

or defective drainage, and of the disinfection and sanitary cleaning of streets, alleys, cellars, cesspools, sewers, or nuisances of any description and of low places within the city limits calculated to receive and retain unhealthy deposits.

Sec. 163. The Board of Health shall exercise a general supervision over and be the custodian of all the death and cemetery records now belonging to the city, and they shall cause to be kept in books prepared for the purpose, complete records of all deaths, interments in all the city cemeteries, and births occurring in said city. They shall adopt such forms and regulations for the use of physicians, undertakers and superintendents of cemeteries as in their judgment may be best calculated to secure reliable vital and mortality statistics in said city, and prevent the spread of contagious and infectious diseases. They shall have power to prevent or forbid communication with infected families or houses, and by the consent of the Mayor may establish a pest-house and provide the necessary attendants and supplies therefor.

Record of deaths, births, to be kept.

Statistics.

Sec. 164. The Board of Trustees shall, by ordinance or otherwise, provide for enforcing such orders and regulations as the Board of Health may from time to time adopt; and all expenses necessarily incurred by the Board of Health in carrying out the provisions of law and of this Charter shall be provided for by the Board of Trustees, who are hereby authorized and directed to make an appropriation therefor out of the general fund.

Sec. 165. The Board of Health, within two weeks from the time of its organization, shall elect a City Physician, who shall also act as health officer and secretary of the Board of Health. Said City Physician shall not be a member of the Board of Health, and shall be an elector of the city for at least five years and not less than thirty years of age, a licensed physician of not less than five years, and actually engaged in the practice of his profession therein. He shall hold his office during the pleasure of the Board of Health, and must see that the laws and ordinances of the city in relation to the public health, and the regulations and orders of the Board of Health are properly enforced. He shall keep a full record of all the transactions of the Board of Health, as well as all records appertaining thereto, and issue all permits for burials, and no interments shall be made from the city unless said health officer is satisfied of the correctness and reliability of the certificates of death presented for his inspection. He shall have the powers of a police officer, and shall make an extended annual report to the Board of Health of the affairs pertaining to his office, including mortuary and other statistics, with such observations and recommendations in relation to the sanitary condition of the city as he may deem proper.

City physician, duties.

Sec. 166. The City Physician shall attend, when called upon, the indigent sick or wounded in the city, and shall have charge of any receiving hospital or dispensary established for the benefit of the sick poor.

Indigent sick.

Visit schools.

Sec. 167. The City Physician, as health officer, shall visit, at least once in each quarter, all public buildings and school houses in said city. During such visits he shall examine the manner in which they are lighted, ventilated and heated, and particularly as to their sanitary condition.

Duty of Health Officer as to contagious disease.

Sec. 168. The City Physician, as health officer, shall promptly report in writing to the City Superintendent of Schools the name and residence of every person sick with cholera, smallpox, scarlatina, diphtheria, or any contagious disease. Said City Superintendent, when so notified, must refuse admittance to the schools of any members of a household, one or more of whose inmates are sick from any of the aforesaid diseases. The person excluded shall be admitted on presenting a certificate from the health officer that there is no longer any danger from contagion.

Sec. 169. When a case of contagious disease is reported to the Health Officer, he shall visit the premises where the person is, and when satisfied that said disease exists, he shall place a yellow flag or printed sign on said premises, which shall remain during the continuance of the disease. (As amended. Election Feb. 13, 1905.)

City physician; duties.

Sec. 170. The Health Officer may cause to be removed to a smallpox hospital any person in said city affected with smallpox. When a case of smallpox exists in any house, and the person so affected is not moved to said hospital or pest-house, the Health Officer shall immediately place a quarantine flag on said premises, and may place a competent person in charge thereof who shall see that a quarantine is strictly enforced so long as public safety requires.

Food Inspector.

Sec. 171. He shall act as food inspector, and as such his duties shall be to inspect meat, milk, butter, poultry, eggs and all other marketable produce, including green and dried groceries and vegetables, and all and every kind of food products, and shall have the power without liability, to condemn and destroy such and so much thereof as are unfit, unwholesome, deleterious or injurious as food, or fall below the standard established by the Board of Health.

Vaccination.

Sec. 172. The Health Officer shall vaccinate free of charge all persons applying to him.

Sec. 173. He shall perform such other duties as may be prescribed by the Board of Health or by ordinance.

Power to administer oaths.

Sec. 174. Each member of the Board of Health, and the City Physician, may administer oaths on any matter connected with the Health Department. (As amended. Election Feb. 13, 1905.)

Board to appoint Plumbing Inspector.

Sec. 175. There shall be appointed by the Board of Health a Plumbing Inspector, who shall be ex-officio Sanitary Inspector. Such Plumbing Inspector shall be a practical plumber, and shall possess such other qualifications as may be required by such Board of Health, and discharge such duties as may be required by the rules thereof or by ordinance, and as required by this Charter.

Qualifications.

As Sanitary Inspector, he shall diligently inspect and examine, under the direction of the Board of Health, all alleys, offensive privies, vaults, cesspools, nuisances and places suspected of being in unsanitary condition, and report all places in unsanitary condition to the City Physician, within twenty-four hours after discovery of the same. He shall wear an appropriate badge of office, prescribed by the Board of Health, and shall, upon his exhibition thereof, have the right of inspection of all places in the city, and as directed by said Board.

Duties of Sanitary Inspector.

Badge of authority.

He shall execute an official bond to the City of Fresno to be approved by the Mayor, in such amount as shall be fixed by the Board of Trustees of said City, and receive such salary as Plumbing Inspector and Sanitary Inspector, as the Board of Trustees shall fix. (Added. Election Feb. 13, 1905.)

Official bond and salary of Inspector.

Sec. 176. He shall act as inspector of plumbing, and the plans and specifications of all contemplated buildings, improvements, repairs and alterations thereof within the city, in so far as related to plumbing work, and as affected by the rules and regulations of the Board of Health, shall be submitted to him for his examination and report; he shall number and file the same (except such as are required to be filed by the City Engineer), with the date of filing, and record the names of the owner and architect, and the location of the proposed work. (Added. Election Feb. 13, 1905.)

Duty of Inspector with reference to plans and specifications.

Sec. 177. He shall examine such plans and specifications, and if in accordance with the rules and regulations of the Board, he shall, in conjunction with such other officer as may be required by law to do so, sign a permit for the work to go on; otherwise, he shall give written notice to the party presenting them, explaining the corrections necessary to compliance therewith. (Added. Election Feb. 13, 1905.)

Permits for plumbing work.

Sec. 178. He shall examine all plumbing work before the same is covered up, or closed, and if found to be done in accordance with the rules and plans and specifications filed, he shall issue a certificate to that effect, and upon the completion of any plumbing work, he shall examine the same, and if found to conform to the rules of the Board of Health and the plans and specifications filed, he shall issue a final certificate. (Added. Election Feb. 13, 1905.)

Plumbing Inspector's certificate.

Sec. 179. He shall make a monthly report to the Board of Health of the number of plans and specifications received, the number approved and rejected, the number of first and final examinations made, where and by whom the rules have been violated, and such other matters as shall be required by the Board of Health. He shall immediately upon knowledge of any infraction of the rules and regulations, report the same to the Board of Health. (Added. Election Feb. 13, 1905.)

Inspector must report monthly to Board of Health.

ARTICLE XI.

Chapter I.

FRESNO FREE LIBRARY.

- Board of Library Trustees. Section 180. The Free Library shall be under the control and management of five trustees, who shall be known as the "Board of Free Library Trustees." They shall be appointed by the Mayor, by and with the consent of the Board of Trustees. The office of Library Trustee shall be honorary, and the members thereof shall serve without salary or compensation except that a reasonable compensation may be paid the secretary; any person, male or female, over the age of twenty-one years, who is a citizen of the United States and of this State, and a resident of the city, shall be eligible to the office of Library Trustee.
- To receive no compensation, except Secretary. The term of office of Library Trustees shall be until the next succeeding city officers are elected and qualified, and until their successors are appointed and qualified. (As amended. Election Feb. 13, 1905.)
- Qualifications. Sec. 181. The Board of Trustees of the City of Fresno shall levy and collect, as in other cases, annually, a tax not less than three cents on the one hundred dollars and not more than five cents on the one hundred dollars, for the purpose of maintaining a free public library and reading room, and purchasing such books, journals and other publications, and leasing such real and personal property as may be necessary therefor.
- Term of office. Sec. 182. All money and revenue paid, collected or received by authority of anything herein contained, whether by taxation, gift, devise, bequest, or otherwise, shall belong to and be known and designated as the "Library Fund," and shall be paid into the City Treasury, and there kept separate and apart from other funds, and be drawn therefrom as hereinafter provided, but only to be used and applied to the purposes herein authorized.
- Library tax. Sec. 183. All property, real and personal, acquired by gift, devise, bequest, or otherwise, shall vest, be and remain in the city, and may be protected, defended and sued for by action at law, or otherwise, in the name of the city, as in other cases.
- Library fund. Sec. 184. The Board of Free Library Trustees shall take charge of all property belonging to such library and reading-room, or that may be acquired by loan, purchase, gift, devise, or otherwise. The Trustees shall meet for business purposes on the first Tuesday of each month, and at such other times as they may appoint, at a place to be provided for the purpose, and a majority of all their number shall constitute a quorum for business. They shall elect one of their number to act as president of their board, and one of their number to act as secretary, who shall keep a full statement and account of all property, money, receipts and expenditures, and a record and full minutes in writing of all their proceedings. The secretary shall certify to such proceedings, or any part or portion thereof, under his hand, verified by an official seal adopted and provided by the Trustees for that purpose.
- Property rights.
- Meetings.

Sec. 185. Such Trustees, by a majority vote of all their members, to be recorded in the minutes with the ayes and noes at length, shall have power:

Powers of
Library
Trustees.

1. To make and enforce all rules, regulations and by-laws necessary for the administration, government and protection of such library and reading-room, and all property belonging thereto, or that may be loaned, devised, bequeathed, or donated to the same.

2. To exercise and administer any trust declared or created for such library or reading-room, and to provide memorial tablets and niches to perpetuate the memories of those persons who may make valuable donations thereto.

3. To define the powers and describe the duties of any and all officers, determine the number and employ all necessary subordinate officers and assistants, and at their pleasure and without previous notice remove any officer or assistant.

4. To purchase necessary books, journals, publications, and other personal property.

5. To order the drawing and payment upon properly authenticated vouchers, duly certified by the president and secretary, of money from out of the library fund for any liability or expenditure herein authorized; and generally to do all that may be necessary to fully carry into effect the provisions of this act.

6. To fix the salaries of the librarian and assistants, to furnish and equip said rooms and buildings as may be necessary for such library and reading-room.

Sec. 186. The orders and demands of the Board of Free Library Trustees, when duly made and authenticated as above provided, shall be paid by the Treasurer of the city out of the library fund.

City Treasurer
to pay
demands.

Sec. 187. The Trustees of such library and reading-room, on or before the first Monday of January and July of each year, shall make a semi-annual report to the Board of City Trustees, giving the condition of their trust, with full statements of all property and money received, whence derived, how used and expended; the number of books, journals, and other publications on hand, the number added by purchase, gift, or otherwise, during each year, the number lost or missing, the number and character of those loaned, and such other statistics, information and suggestions as may be of general interest. A financial report showing all receipts and disbursements of money shall also be made by the Secretary of the Board of Trustees, duly verified.

Report to
City Trustees.

Sec. 188. The proper municipal authorities shall pass ordinances for the protection of the library and reading-room, and all property thereto belonging, and for imposing penalties for the punishment of persons committing injury to such library or reading-room, or the property or books thereof, or for failure to return any book or other property belonging thereto.

Ordinances
shall be passed
to protect.

Chapter II.

PUBLIC PARKS.

City Parks to be managed by Commissioners.

Section 190. The several tracts of land belonging to or controlled by the City, or which may hereafter be acquired by the City, for Park purposes, shall be managed and controlled by a board of five commissioners, which shall be called the Board of Park Commissioners. (Added. Election Feb. 13, 1905.)

Membership of Board of Park Commissioners.

Sec. 191. The Mayor and City Engineer shall be ex-officio members of said board, and the three remaining commissioners shall be appointed by the Mayor, subject to confirmation by the Board of Trustees, and shall hold office until the next succeeding city officers are elected and qualified, and until their successors are appointed and qualified. (Added. Election Feb. 13, 1905.)

Members to serve without compensation, except Secretary.

Sec. 192. The Mayor shall be president of said Board, and the Board shall elect a secretary who may be one of the appointed members of said board and may receive a salary of not more than twenty-five dollars per month; the members of said board as such shall serve without compensation.

Meetings.

The Board shall hold regular monthly meetings at such time and place as it may determine; and special meetings may be called at any time by the president or by two members of the board. Its meetings shall be public; three members shall constitute a quorum for the transaction of business; it may adopt rules for its proceedings, and shall cause a record of such proceedings and all plans and other documents pertaining to the work of said board, to be kept by its secretary under its direction. (Added. Election Feb. 13, 1905.)

Record of proceedings.

Powers and duties of Commissioners.

Sec. 193. Such board of park commissioners shall have full power and authority to manage, control and govern the parks of the city, and to direct the maintenance and improvement thereof. Where not already provided, it shall cause to be prepared and adopt general plans for the permanent improvement of such parks, and necessary changes in such plans; cause the parks to be properly laid out in accordance with such plans, and planted with suitable trees, shrubs and flowers, and the same to be cared for, cultivated and preserved. It shall engage and discharge all persons employed in or about the city's parks, prescribe their powers and duties, and fix their compensation, and require bonds of such employees as it may deem proper, for the faithful discharge of their duties. It shall supervise and control the expenditure of all money in the park fund of the treasury, and shall order payment therefrom on warrants signed by the president and secretary. It shall adopt such rules and regulations as it may deem proper to govern the use of grounds under its supervision and control, and for the protection of the property thereon. And said board shall exercise such other powers and perform such other duties as may be necessary to carry into effect the provisions of this chapter, and to maintain, beautify and improve the city's public parks. (Added. Election Feb. 13, 1905.)

Sec. 194. Said board shall have power to lease unimproved parts of any park under its control, for terms not exceeding one year, until the grounds so leased are required for improvement for public use. The moneys realized from such leases shall be paid into the treasury and be added to the park fund. (Added. Election Feb. 13, 1905.)

Lease of unimproved parks.

Sec. 195. Said board may, upon its requisition and with the consent of the Board of Trustees, put city prisoners to work upon the parks and grounds under its control. (Added. Election Feb. 13, 1905.)

City Prisoners, to be worked.

Sec. 196. Said Board of Park Commissioners may accept suitable articles for the use or adornment of such parks, and cause such articles to be placed therein. It is hereby authorized and empowered to accept and receive donations and aid from individuals, societies, clubs and corporations, and legacies and bequests by the last will of deceased persons, for the aid or improvement of the parks or grounds under its control; and all moneys that shall be derived from such donations, legacies or bequests, shall, unless otherwise provided by such gift, bequest or legacy, be deposited in the treasury to the credit of the Park Fund, and paid out on warrants as provided for the payment of other moneys of such fund; provided, however, that if the moneys derived from such gifts, legacies or bequests be not needed for immediate use for the purpose for which they are received, or if it be deemed advisable by said Board to use them as a permanent endowment fund for such purposes, said Board is hereby authorized to invest said moneys or any part thereof in interest-bearing bonds of the United States, or the State of California, or approved municipal or school district bonds of the State of California—preferably bonds of the City of Fresno—and thereafter to sell and dispose of said bonds or change the investment, as to the Board shall deem best. (Added. Election Feb. 13, 1905.)

Power of board as to receipt of donations.

Surplus funds to be invested.

Sec. 197. The Board of Park Commissioners shall, annually, on the first Monday in July, present to the Board of Trustees a full report and statement of its proceedings for the past fiscal year, containing an itemized account of all moneys received and expended for park purposes, together with an estimate of the amount required to be raised by taxation for the maintenance and improvement of the city's parks during the ensuing year; provided, that it may exclude from such estimate all moneys received by it as provided in the preceding section. (Added. Election Feb. 13, 1905.)

Board shall report annually to Trustees.

Sec. 198. The Board of Trustees shall annually include in the general tax levy a tax of not less than three nor more than ten cents upon each one hundred dollars in valuation of property appearing upon the assessment roll, for the maintenance and improvements of its parks. Such tax, when collected, shall be paid into the treasury to the credit of the Park Fund, and shall be used and paid out only for the benefit of the city's parks. Said Board of Park Commissioners shall not in any fiscal year contract

Tax levy for Park Fund.

any debt in excess of the money on hand in such fund, or provided for by the tax levy for such year. (Added. Election Feb. 13, 1905.)

Ordinances to enforce orders of Board.

Sec. 199. The Board of Trustees shall, by ordinance, provide for carrying into effect the powers herein granted to the Board of Park Commissioners, and enforcing such orders as it may make concerning the use of the parks and the preservation of the park property; and the police power of this city shall extend over such parks, whether without or within the city. (Added. Election Feb. 13, 1905.)

ARTICLE XII.

ELECTIONS.

When city officials are elected.

Section 200. The Mayor, members of the Board of Trustees and of the Board of Education, and the City Clerk, and Police Judge shall be elected by the qualified electors of said City, at a general municipal election to be held therein. The first election under this charter shall be held on the first Tuesday after the first Monday in June, 1901. The second election hereunder shall be held on the second Monday in April, 1905, and an election shall be held every four years thereafter.

Canvassing returns.

Sec. 201. The Board of Trustees must meet at their usual place of meeting on the first Monday after the election; and if the returns from each precinct in which polls have been opened, have been received, the board must then and there proceed to canvass the returns. But if all the returns have not been received the canvass must be postponed from day to day until all the returns are received.

State laws govern.

Sec. 202. Such canvass, declaration of result and certificates of election must be made and had in conformity with the laws of the State of California.

Time of taking office.

Sec. 203. All elective officers shall take office on the first Monday after the result of the election shall have been officially declared and shall hold office for the period of four years and until the election and qualification of their successors, unless otherwise provided in this charter; except that the officers elected under this charter on the first Tuesday after the first Monday in June, 1901, shall only hold office until the first Monday after the official declaration of the result of the election to be held on the second Monday in April, 1905.

Mayor to fill vacancies.

Sec. 204. Any vacancy occurring in any of the elective offices provided for in this charter, except as otherwise herein provided, shall be filled by appointment by the Mayor, by and with the consent of the Board of Trustees until the next regular election, at which time a successor shall be elected.

Sec. 205. The provisions of all general laws governing elections for State, County and municipal officers, not inconsistent with the provisions of this Charter are hereby

adopted as the law governing City elections for city officers except that no party name or designation shall appear on the tickets and all candidates shall be designated as "independent" and the Mayor, Board of Trustees and City Clerk, respectfully shall exercise the powers and perform the duties conferred or imposed on Boards of Supervisors and County Clerks concerning elections; provided, that a candidate for any city office can be nominated only in the manner provided by section 1188 of the Political Code of the State of California, except that no party name or designation shall appear in the certificate and the candidates shall be designated as "independent." (As amended. Election Feb. 13, 1905.)

General election laws govern.

ARTICLE XIII.

CITY OFFICERS AND OFFICIAL BONDS.

Sec. 210. All officers of the city, whether elective or appointive, of whom a bond is required, must give a bond in some approved surety company, provided that the premium charged shall not exceed a rate of 50 cents on the \$100 for each year; provided, that the premium on any single bond may not be less than five dollars, which premium shall be paid by the city. (As amended. Election Feb. 13, 1905.)

Premium of official bonds to be paid by City.

Sec. 211. In case the premium should be in excess of said rate, then a bond may be given with personal sureties. All official bonds shall be approved by the Mayor, except that the official bond of the Mayor shall be approved by the Board of Trustees. All official bonds shall be made payable to the City of Fresno. (As amended. Election Feb. 13, 1905.)

Personal surety allowed, when.

Approval of official bonds.

Sec. 212. Besides the various appointive boards provided for by this Charter, the regular officers of the city shall be as follows:

Regular officers of City enumerated.

Mayor, Members of the Board of Trustees, Members of the Board of Education, City Clerk, City Attorney, Judge of the Police Court, Chief of Police, Chief of the Fire Department, City Engineer, Superintendent of Streets, License Collector, City Physician, Plumbing Inspector (who shall be ex-officio Sanitary Inspector), Poundmaster, and such other officers as the Board of Trustees shall under this Charter have power to create. (Added. Election Feb. 13, 1905.)

Sec. 213. The Board of Trustees may, at any time, require an additional bond whenever any official bond may be deemed insufficient, and upon the failure on the part of any officer to furnish a satisfactory bond at the request of the Board of Trustees, his office shall be declared vacant, and as soon as such declaration is made, the office becomes vacant.

Additional bonds.

Sec. 214. The amounts in which the respective officers shall execute official bonds shall be as follows:

Amount of official bonds.

Trustees, each	\$ 5,000.00
Clerk	10,000.00
Attorney	2,000.00
Superintendent of Streets	5,000.00
City Engineer	5,000.00
Mayor	5,000.00
Chief of Police	5,000.00
Chief of Fire Department.....	5,000.00
Police Judge	5,000.00

Bonds of other officials.

Sec. 215. The Board of Trustees shall have the power to require bonds from any other officer or employe of the city whenever deemed necessary.

Bonds, where filed.

Sec. 216. The bond of the City Clerk shall be filed with the Mayor and all other bonds shall be filed with the City Clerk. Official bonds with personal sureties must be recorded in the office of the County Recorder of Fresno County.

ARTICLE XIV.

SALARIES.

Compensation of Trustees.

Sec. 220. Each member of the Board of Trustees shall receive a salary of three hundred dollars per annum, payable monthly in equal installments, but there shall be deducted therefrom the sum of ten dollars for each and every regular meeting of the Board which he shall fail to attend; provided, that if a member is absent on business of the City by permission of the Mayor, no deduction shall be made on account of such absence. (As amended. Election Feb. 13, 1905.)

Deduction for absence from meetings.

Sec. 221. The compensation of other officers and employees of the city per annum shall be as follows, payable in monthly installments:

Salaries of City officials fixed.

Mayor, fifteen hundred dollars; City Attorney, fifteen hundred dollars, and as herein provided; City Clerk, fifteen hundred dollars, and one deputy clerk (to be paid by the city), ten hundred eighty dollars; Superintendent of Streets, fifteen hundred dollars, and one Deputy Superintendent of Streets (to be paid by the city), nine hundred dollars; Chief of Police, fifteen hundred dollars; Chief of Fire Department, fifteen hundred dollars, which shall also be in full compensation as Fire Marshal; License Collector, ten hundred eighty dollars; Police Judge, three hundred dollars, and such fees as are allowed by law in civil actions, and such compensation in prosecutions under the State Law as are allowed or may from time to time be allowed Justices of the Peace in the township in which said city is situated. Such salaries shall be in full compensation for all services rendered.

Salaries not to be increased until after April, 1905.

The compensation of all the officers and employees of the city not in this Charter specified shall be fixed by the Board of Trustees; provided, that no increase of salaries provided for in sections 220 and 221 shall take effect until the qualification of officers elected in April, 1905. (As amended. Election Feb. 13, 1905.)

Sec. 222. The Chief of Police, the Chief of the Fire Fire Department and Superintendent of Streets shall devote their entire time and services to the duties of their respective offices.

Entire time to duties of office.

Sec. 223. The duties of all officers, elected or appointed in the City of Fresno, are such as are now or may hereafter be prescribed by general law or ordinances of the city.

Duties of officers.

Sec. 224. It is hereby declared to be the purpose of the people of the City of Fresno to do away with and abolish the offices of City Assessor, City Tax Collector and City Treasurer, and to that end the Board of Trustees shall, on or before the first Monday in February, 1901, or as soon as this charter is approved by the Legislature, and annually thereafter while any valid law exists for the assessment, collection, custody, safe keeping and disbursing of city taxes by officers of a county, pass an ordinance electing that the City of Fresno, avail itself of the provisions of an act entitled: "An act to provide for the levy and collection of taxes, by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved, March 27, 1895.

Offices abolished.

And shall cause a certified copy of such ordinance to be forthwith served upon and filed with the Auditor, Assessor, Tax Collector and Treasurer of Fresno County. If said act shall be amended, or some other law be substituted in its stead, providing for the assessment, collection, custody, safe keeping and disbursing of city taxes by county officers, the Board of Trustees shall conform to the provisions of such amended act, or such law, in order that the city may avail itself of the privilege of having its taxes assessed, collected, safely kept and disbursed by such county officers.

Duties of county officers.

Notice to county officers.

Sec. 225. If said law should be repealed by the Legislature or annulled by the courts, then the Board of Trustees are hereby authorized by ordinance to create the office of City Assessor, City Tax Collector and City Treasurer, and said offices shall be filled by appointment of the mayor, by and with the consent of the Board, as in other cases, until the next municipal election. And the Board of Trustees shall, by ordinance, prescribe their duties and fix their bonds and compensation.

City offices may be created.

ARTICLE XV.

POLICE AND FIRE DEPARTMENT.

Sec. 230. The Police and Fire Departments shall be under the control and management of a Board of four Commissioners, selected from the qualified electors of the

Police and Fire Commissioners.

No
compensation.

city, by and with the advice and consent of the Board of Trustees, and who shall hold office without compensation until after the next regular election of city officers, and until their successors are appointed and qualified. Not more than two of such commissioners shall belong to the same political party. (As amended. Election Feb. 13, 1905.)

Duties of
Commissioners.

Sec. 231. The commissioners shall enter upon their duties as soon as they have qualified. The commission shall establish rules and regulations governing its proceeding and for the regulation and conduct of its officers and employes, and may require bonds from its subordinates for the faithful performance of their duties. The Mayor shall be president of the board, but shall have a vote only in case of a tie. In the absence of the Mayor, the commission may select a president pro tempore from among its members. The City Clerk shall be the secretary of the commission.

Meetings.

Sec. 232. The commission shall hold regular meetings at least once a month, and special meetings at such other times as it may appoint or of which the president may give notice. The regular meetings shall be held on a day and at an hour fixed by resolution entered upon the records of the commission, which shall not be changed except by a resolution passed at a regular meeting of said commission. The meetings of the commission shall be public; provided, however, that executive sessions may be held by a unanimous vote; three members shall constitute a quorum and the affirmative votes of three members shall be necessary to pass any order or resolution. No business shall be transacted at a special or adjourned meeting except such as may have been made a special order of business for such meeting or such as may have been under consideration at the meeting at which the adjournment was had.

Special
meetings.

Record of
Board
proceedings.

Sec. 233. The secretary of the Board shall keep a record of its transactions, specifying therein the names of the commissioners present at the meeting, and giving the ayes and noes on all votes when demanded by any member. Every order or resolution shall be recorded at length, and the record shall be approved by the Board, and signed by its President. The Secretary shall cause the publication of all notices herein authorized to be published, or which the Board shall order to be published, and shall perform such other duties as the Board may from time to time require. (As amended. Election Feb. 13, 1905.)

Duties of
Secretary.

Appointments
and removals.

Sec. 234. The officers, members and employes of the police and fire departments shall be appointed by the board, and no removal shall be made except for cause established to the satisfaction of the board, after due investigation and trial. The salaries of officers and employes of the board, except so far as the same are designated in this charter, shall be fixed or altered from time to time by the Board of Trustees in its discretion or on recommendation of the Board of Commissioners.

Salaries of
employes.

Powers of
Police and Fire
Commissioners.

Sec. 235. The Board of Police and Fire Commissioners shall have power:

1. To prescribe the qualifications, duties, badges of office and uniforms of officers, members and employes of said departments.

2. To prescribe rules and regulations for the government and discipline of the same, and prescribe and enforce penalties for their violation.

3. To hear and determine all complaints of misconduct, inefficiency, violation of the rules and regulations, or other charge against any officer, member or employe of said departments, and to take such action thereon as shall be most conducive to the maintenance, discipline and efficiency of said departments.

4. To appoint and remove at their discretion special policemen, who shall be under the supervision and control of the Chief of Police; provided, however, that the compensation of said special policemen shall in no event be chargeable to the city, unless appointed by authority of the City Board of Trustees.

5. To make all necessary rules and regulations to carry into execution the foregoing powers and all other powers vested in said commission by this Charter or by any ordinance of the Board of Trustees passed pursuant thereto or by the constitution and laws of this state; and in general to manage and control said departments.

Sec. 236. The commissioners shall have the custody and control of the houses, engines, hose carts, trucks, ladders, horses, stables and all other property and equipments now or that may be hereafter used by or belonging to said departments.

Duties of
Police and Fire
Commissioners.

Sec. 237. The commission shall annually report to the Board of Trustees an estimate of the amount of money that will be required to pay all salaries and expenses of the police department and of the fire department for the ensuing year, specifying in detail the proper items for which the same will be required.

Duties of
Police and Fire
Commissioners.

Sec. 238. The commission shall make full quarterly reports to the Board of Trustees of its acts and expenditures and also of the condition of said departments.

Reports.

Sec. 239. Every claim against the police department or fire department contracted by the commission shall be verified by the claimant and approved by the commission in open session, which approval shall be entered in the records of the commission. No such claim shall be allowed or ordered paid by the Board of Trustees until the same has been approved by said commission, and has endorsed thereon such approval, authenticated by the signatures of the president and secretary of the commission.

Claims.

Sec. 240. The commission shall determine and report to the Board of Trustees as to the necessity of constructing cisterns and erecting hydrants in particular localities, the necessity for additional houses, apparatus, material, supplies, engines, horses, hooks and ladders and also

Apparatus, etc.

as to alterations and repairs required; but the action of the commission with respect to the necessity of these matters shall be only advisory to the Board of Trustees.

Contracts.

Sec. 241. All contracts let and work ordered for the fire and police department shall be let and ordered by the Board of Trustees; provided, however, that the Police and Fire Commission shall have power to make repairs upon engines and other apparatus under their control when the necessity for such repairs is urgent and the cost thereof does not exceed the sum of one hundred and fifty dollars.

**Repairs by
commissioners.**

Police force.

Sec. 242. The police department shall consist of a Chief of Police and as many regular officers and policemen as the Board of Trustees may from time to time determine, not exceeding in the aggregate one to every one thousand inhabitants of the city.

**Fire
Department.**

Sec. 243. The fire department shall consist of a Chief and as many drivers, engineers, hosemen and other paid employes as the Board of Trustees may authorize, together with such volunteer firemen as may be determined by the commission; provided, that prior to the election of a chief, a volunteer fire department while in existence, may nominate and present to the Board the name of a nominee for chief, who, if acceptable to said board, shall be elected such chief, and if not elected, such volunteer fire department may nominate and present other names to said board for such chief.

Chief of.

**Fire Chief to
inspect houses,
sign permits for
constructions
and repairs.**

Sec. 244. The Chief of the Fire Department shall have the right, and it shall be his duty when required by the Board of Police and Fire Commissioners, to inspect all houses in the city; and he shall, together with the City Engineer and Plumbing Inspector, examine all plans and specifications for buildings, repairs and improvements, when required by the building ordinances of the city, and if found to be in conformity with the law, shall sign a permit therefor; but if he finds otherwise, he shall give notice to the owner or architect of the points of variance from the requirements of law in respect to safety from fire. He shall observe the structure in progress of building from time to time, and report to the Mayor promptly any variance from the plans or specifications permitted, and shall order the work stopped until the law is complied with. (Added. Election Feb. 13, 1905.)

ARTICLE XVI.

General Provisions.

**Holding other
public office
prohibited.**

Sec. 250. No officer under salary, and no deputy of any city officer or employee of the city receiving pay from the city, all of whose time is required to be devoted to the duties of his office, shall hold any other public office while in the employment of or holding office under the city government, except notary public or member of the National Guard; nor shall any officer or employee of the city become a party worker or solicitor or active partisan, nor shall he solicit any funds to be used for political purposes.

A violation of any of the provisions of this section shall be sufficient cause for his removal from office. (As amended. Election Feb. 13, 1905.)

Penalty for violation.

Sec. 251. It is hereby made the express duty of the Mayor to see that all the provisions of this article are strictly enforced.

Duty of the Mayor.

Sec. 252. The word "City," whenever it occurs in this Charter means the City of Fresno; and every commissioner, commissioner, department, board or officer, wherever mentioned in this Charter, means a commission, commissioner, department, board or officer, as the case may be, of the City of Fresno.

Definition of terms used.

The word "Board," when used in relation to the Legislative Department of this city, means the Board of Trustees; otherwise the definition of words as provided in Section 14 of the Civil Code of the State of California, as far as applicable, are adopted as to all such words used in this Charter and the ordinances thereunder. (As amended. Election Feb. 13, 1905.)

Sec. 253. No officer of the city shall absent himself from the State without the written permission of the Mayor; and the Mayor is authorized to issue such permits, when deemed proper by him, for a period not exceeding sixty days.

Officer not to leave State without permission.

A violation of this section by any officer of the city, shall be sufficient cause for his removal from office. (As amended. Election Feb. 13, 1905.)

Sec. 254. Repealed. Election Feb. 13, 1905.

Sec. 255. No officer or employee of the city shall be or become, directly or indirectly, interested in, or in the performance of, any contract, work or business, or in the sale of any article, the expense, price or consideration of which is payable from the treasury; or in the purchase or lease of any real estate or other property belonging to, or taken by the city, or which shall be sold for taxes or assessment, or by virtue of legal process at the suit of the city. If any person in this section designated shall, during the time for which he was elected or appointed, acquire an interest in any contract with, or work done for, the city, or any department or officer thereof, or in any franchise, right or privilege granted by the city, unless the same shall be devolved upon him by law, he shall forfeit his office, and be forever debarred and disqualified from being elected, appointed or employed in the service of the city; and all such contracts shall be void, and shall not be enforceable against the city.

No interest in contracts, etc.

Sec. 256. No officer or employe of the city shall give or promise to give to any other person, any portion of his compensation or any money, or valuable thing, in consideration of having been, or of being, nominated, appointed, voted for, or elected, to any office or employment; and if any such promise or gift be made, the person making or accepting such gift or promise shall forfeit his office and employment, and be forever debarred and disqualified from being elected, appointed or employed in the service of the city.

Promise of reward.

Penalty for acceptance of gift.

Sec. 257. Any officer of the city who shall, while in office, accept any donation or gratuity in money, or other valuable thing, either directly or indirectly, from any subordinate or employe, or from any candidate or applicant for any position as employe or subordinate under him, shall forfeit his office, and be forever debarred and disqualified from holding any position in the service of the city.

Individual liability.

Sec. 258. Every officer who shall approve, allow or pay any demand on the treasury not authorized by law, ordinance or this charter, shall be liable to the city individually and on his official bond for the amount of the demand so illegally approved, allowed or paid.

Books and records to be open to the public.

Sec. 259. All books and records of every office and department shall be open to the inspection of any citizen at any time during the business hours. Certified copies of extracts from said books and records shall be given by the officer having the same in custody to any person demanding the same, and paying or tendering ten cents a folio of one hundred words for such copies or extracts; but the records of the police department shall not be subject to such inspection except permission be given by the Police Commissioners or by the Chief of Police.

Disqualifications for office.

Sec. 260. No person shall be eligible to or hold any office, or be clerk or deputy in any office or department who has been found guilty of malfeasance in office, bribery or other infamous crime or who in any capacity has embezzled public funds.

Fiscal year.

Sec. 261. The fiscal year mentioned in this charter shall commence on the first day of July and end on the thirtieth day of June following.

Suspensions and removals.

Sec. 262. Any elected officer, except City Trustee, may be suspended by the Mayor and removed by the Board of Trustees for cause; and any appointed officer may be removed by the Mayor for cause. The Mayor shall appoint some person to discharge the duties of the office during the period of such suspension.

Sec. 263. When the Mayor shall remove an appointed officer from office, he shall immediately notify the Board of Trustees of such removal, and furnish it a statement of the cause therefor, which statement shall be entered in the record of its proceedings.

Forfeiture of franchises.

Sec. 264. All franchises and privileges heretofore granted by the city which are not in actual use or enjoyment, or which the grantees thereof have not in good faith commenced to exercise, are hereby declared forfeited and of no validity unless said grantees or their assigns shall, within one month after this Charter takes effect, in good faith, commence the exercise and enjoyment of such privilege or franchise.

Chinese.

Sec. 265. No Chinese shall ever be employed, either directly or indirectly, on any work of the city or in the performance of any contract or sub-contract of the city, except in punishment for crime.

Sec. 266. Whenever special meetings are called of the Board of Trustees, Board of Education, or any other board of the municipality, notice thereof shall be served on each member personally or by mail addressed to his place of residence; if by mail, the notice, postpaid, shall be deposited in the postoffice of the city at least twenty-four hours before the time of meeting. At such special meeting no subject shall be considered except that specified in the notice.

Special meetings.

Sec. 267. The Mayor, City Attorney, Judge of the Police Court, City Clerk, Chief of Police, Chief of the Fire Department and the Superintendent of Streets, shall each have been a resident of the City of Fresno for at least three years next before election or appointment, and shall be, at such time, a qualified elector of the city. The qualifications of all other officers not by this Charter prescribed shall be such as may be prescribed by ordinance. (As amended. Election Feb. 13, 1905.)

Qualifications of certain officers as to residence.

Sec. 268. It shall be the official duty of every officer and person in the employ or service of the city, when it shall come to his knowledge that any contract or agreement with the city, or with any officer, or any department thereof, or relating to the business of any office, has been or is about to be violated by the other contracting party, forthwith to report to the Mayor all facts and information within his possession concerning such matter; and a willful failure so to do shall be cause for the removal of such officer or employe, as in case of malfeasance in office.

Duty of officers in known violation of contracts.

Sec. 269 repealed.

New Sec. 269 added.

Sec. 269. Every executive and judicial officer of the city, except the Mayor and City Attorney, and every other officer and agent of the city charged with the collection or disbursement of any money of the city, shall furnish, at the end of each month, to the Board of Trustees, a full and detailed statement upon oath of all moneys received or disbursed by him, and of his other official transactions during said month. Like statements shall be made at and for such other times as the Board of Trustees may require. (Added. Election Feb. 13, 1905.)

Officers to report monthly to Board of Trustees.

Sec. 270. No privy, vault or cesspool shall be permitted upon any premises adjoining a lateral sewer.

Cesspools, etc.

Sec. 271. In all prosecutions for violation of any of the provisions of this Charter, or for violation of any city ordinance rule, resolution, or other regulation of the Board of Trustees, whether in the court of original jurisdiction or in any appellate court, it shall not be necessary to plead the contents of the same, but the court before which the proceedings may be pending shall take judicial notice of this Charter, and of such ordinance, rule, resolution, or other regulation, and of the contents thereof; and in all civil actions to which the city, or any officer of the city, is party, either plaintiff or defendant, the adoption and contents of any ordinance, rule, resolution, or other regulation of the Board of Trustees, may be proven prima facie

Charter prima facie evidence.

by the introduction of the original entry thereof on the records of the board, a copy thereof certified by the City Clerk to be a full, true and correct copy of such original entry, or by the introduction of a printed copy published, or purporting to have been published, by authority of the city.

Oaths of office.

Sec. 272. Every officer provided for in this Charter shall, before entering upon the duties of his office, take, subscribe, and file with the City Clerk the following oath: "I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of to the best of my ability."

First election.

Sec. 273. The Board of Trustees of the present City of Fresno shall provide for the holding of the first election of officers under this Charter, and shall canvass the votes and declare the result.

Prior laws in force.

Sec. 274. All acts of the legislature relating to the city, and all city ordinances, resolutions and other regulations now in force and not inconsistent herewith, shall be and remain in force after this charter takes effect until changed or repealed by the proper authority; and all rights vested under any former act or regulation, when this takes effect, shall not thereby be lost, impaired or discharged; and all actions and proceedings commenced in any court wherein the city is a party, shall be continued under the law existing when said action or proceedings was commenced.

Office hours.

Sec. 275. Except as otherwise in this Charter provided, all officers of the city shall keep their respective offices open for the transaction of business from the hours of eight in the forenoon until five in the afternoon of each day; Sundays and legal holidays excepted.

Partisan appointments.

Sec. 276. No appointment made by the Mayor or by any officer, board or commission shall be based on political or partisan grounds; and all appointments shall, as far as practicable, be equally distributed among persons belonging to different political parties.

Initiative and referendum ordinances.

Sec. 277. Whenever there shall be presented to the Board of Trustees a petition signed by a number of voters, residents of said city, equal to fifteen per cent of the votes cast at the last preceding state, city or county election, asking that an ordinance to be set forth in such petition, be submitted to a vote of the electors of the city, the Board of Trustees must submit such proposed ordinance to the vote of the electors at the next national, state, county or municipal election.

Sec. 278. The signatures to the petition need not all be appended to one paper, but each signer shall add to his signature his place of residence, giving the street and number. One of the signers of each such paper shall make oath before an officer competent to administer oaths, that the statements therein made are true, and that each signature to the paper appended is the genuine signature of the person whose name purports to be thereto subscribed.

Sec. 279. The tickets used in such election shall contain the words "for the ordinance" (stating the nature of the proposed ordinance) and "against the ordinance" (stating the nature of the proposed ordinance.)

Sec. 280. If a majority of the votes cast upon such ordinance shall be in favor of the adoption thereof, the Board of Trustees shall within thirty days from the time of such election, proclaim such fact; and upon such proclamation such ordinance shall have the same force and effect as an ordinance passed by the Trustees and approved by the Mayor, and the same shall not be repealed by the Trustees. But the Trustees may submit a proposition for the repeal of such ordinance, or for amendments thereto, for vote at any succeeding election; and should such proposition, so submitted, receive a majority of the votes cast thereon at such election, such ordinance shall be repealed or amended accordingly.

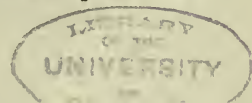
Sec. 281. Every officer of the City of Fresno, including the Chief of Police and Chief of Fire Department (excepting police officers and firemen), shall have power to administer and certify oaths in all matters relating to the business or affairs of said city, and the City Clerk, City Engineer, Superintendent of Streets and City Attorney, may appoint such deputies as they see fit, who must have the same qualifications as their principals and qualify as other city officers, and such principals shall be liable on their official bonds for acts of their deputies, and all acts performed by such deputies shall be as valid and binding as if done by the principals; provided, that no such deputy shall receive any compensation from said city unless it is so specified in this Charter. (Added. Election Feb. 13, 1905.)

Certain officers to administer oaths.

Deputies.

Sec. 282. THE RECALL. The holder of any elective office may be removed at any time by the electors qualified to vote for a successor of such incumbent. The procedure to effect the removal of an incumbent of an elective office shall be as follows: A petition signed by electors entitled to vote for a successor to the incumbent sought to be removed, equal in number to at least fifty-one per centum of the entire vote for all candidates for the office, the incumbent of which is sought to be removed, cast at the last preceding general municipal election, demanding an election of a successor of the person sought to be removed, shall be filed with the City Clerk; provided, that the petition sent to the Board shall contain a general statement of the grounds for which the removal is sought. The signatures to the petition need not be all appended to one paper, but each signer shall add to his signature his place of residence, giving the street and number. One of the signers of each such paper shall make oath before an officer competent to administer oaths, that the statements therein made are true, and that each signature to the paper appended is the genuine signature of the person whose name purports to be thereunto subscribed. Within ten days from the date of filing such petition, the City Clerk shall examine and from the great register ascertain whether or not said petition is signed by the requisite number of quali-

Sufficiency of petition, how determined.



fied electors, and if necessary, the Board shall allow him extra help for that purpose, and he shall attach to said petition his certificate showing the result of said examination. If, by the Clerk's certificate, the petition is shown to be insufficient, it may be amended within ten days from the date of said certificate. The Clerk shall, within ten days after such amendment, make like examinations of the amended petition and if his certificate shall show the same to be insufficient, it shall be returned to the person filing the same, without prejudice, however, to the filing of a new petition to the same effect. If the petition shall be found to be sufficient, the Clerk shall submit the same to the Board without delay. If the petition shall be found to be sufficient, the Board of Trustees shall order, and fix a date for holding, the said election, not less than thirty days nor more than forty days from the date of the Clerk's certificate to the Board that a sufficient petition is filed.

Board of Trustees to order election if petition is sufficient.

Notice and conduct of election.

The Board of Trustees shall make or cause to be made publication of notice, and all arrangements for holding of such election; and the same shall be conducted, returned, and the result thereof declared, in all respects, as are other city elections. The successor of any officer so removed shall hold office during the unexpired term of his predecessor. Any person sought to be removed may be a candidate to succeed himself, and unless he requests otherwise, in writing, the clerk shall place his name on the official ballot without nomination. In any such removal election, the candidate receiving the highest number of votes shall be declared elected. At such election, if some other person than the incumbent receive the highest number of votes, the incumbent shall thereupon be deemed removed from the office upon qualification of his successor. In case the party who receives the highest number of votes should fail to qualify within ten days after receiving notification of election, the office shall be deemed vacant. If the incumbent receives the highest number of votes, he shall continue in office. (Added. Election Feb. 13, 1905.)

What effects removal.

Effect on failure to qualify.

ORDINANCES OF THE CITY OF FRESNO

ORDINANCE NO. 206.

In effect July 9, 1890.

An Ordinance to amend the Ordinance entitled "An Ordinance regulating the fees of the City Engineer," approved November 26, 1889, and repeal Ordinance 176, passed the 24th day of February, 1890, and Ordinance No. 195, passed the 31st date of March, 1890.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. The ordinance entitled "An ordinance regulating the fees of the City Engineer," adopted Nov. 26, 1889, is hereby amended by substituting three sections to read as follows, to-wit:—

Section 1. It shall be the duty of the City Engineer to give the lines on surveys of lots and the proper grades of streets in front of all buildings or other lots, and the line and grade for sewers, with certificates of same when applied to for that purpose, in contracts for street work, sewer work or by private individuals desiring to know the boundaries or grades of their property. It shall be unlawful for said engineer to make a greater charge for such service than is provided in this ordinance, under penalty of forfeiting his claim for such service, such charges and fees to be as follows, to-wit:

1. For giving line or grade for building or for curb of sidewalk for a lot of twenty-five feet frontage \$5.00, or for both \$10.00.

2. For running lines and setting necessary stakes for the grades and curbing only, including profiles, cross sections estimates and certificates of record, at the rate of four (4) cents per linear foot for the first one thousand (1000) feet or less, and at the rate of two (2) cents for each foot over one thousand (1000) feet.

3. For running line and setting necessary stakes for the curbing, macadamizing or paving of any street already graded to the official grade, including certificate of record, at the rate of eight (8) cents per linear foot of the work.

4. For the giving lines and grades for sewers in streets or alleys and keeping a record of location of all lines and Y's at the rate of four (4) cents per linear foot for work for the first one thousand (1000) feet or less, and at the rate of two (2) cents per linear foot for each foot over one thousand (1000) feet. The term linear foot shall be deemed to include both sides of any street or alley, and the rates charged shall include the furnishing of stakes used.

5. For replacing or verifying any street monument or bench mark that has been removed or disturbed, the sum of five (\$5) dollars.

Sec. 2. The City Engineer shall keep a record of all surveys and measurements made under the provisions of this ordinance, or upon any order of the Board of Trustees, in a book or books to be kept for that purpose. A copy of all records of surveys and calculation books containing street or other City work, with all maps, plans and profiles in which the said City of Fresno can in any manner be interested, shall be and remain the property of said City and shall be kept in the vault at the City Hall, open to public inspection. All such books, maps, plans

ORDINANCE NO. 221.

and profiles shall be carefully preserved by the City Engineer and transmitted to his successor in office. (See Art. 55, Charter.)

Sec. 3. Repealed by Ord. No. 419, Sec. 1.

Sec. 4. Ordinance number 176, passed the 24th day of February, 1890, amending the third paragraph of said ordinance 161, and ordinance number 195, passed the 31st day of March, 1890, amending the fifth paragraph of said ordinance number 161, are hereby repealed.

Sec. 5. This ordinance shall take effect and be in force from and after its passage and publication.

 ORDINANCE NO. 221.

In Effect June 10, 1891.

An Ordinance declaring, and providing for the punishment of misdemeanors.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. Any person violating or willfully non-complying with any of the provisions of any ordinance of this City of Fresno is guilty of a misdemeanor, and shall, where no other penalty is especially provided, be punished by a fine not exceeding Three Hundred Dollars, or by imprisonment in the City or County jail not exceeding three months, or by both such fine and imprisonment. (Amendment Ord. 453, March 21, 1904.)

Sec. 2. It shall be competent for the Recorder or Court convicting any person charged with violating or non-complying with any provision of any ordinance of this City to enter an alternative judgment imposing a fine, and on failure to pay the same, imprisoning such person one day for each dollar of such fine.

Sec. 3. A chain gang is hereby established for the purpose of causing and compelling persons imprisoned for any misdemeanor to labor on the streets or other property or works within the City. The Marshal or Superintendent of Streets shall have charge of such persons while in the chain gang and shall superintend their work.

Sec. 4. Any person undergoing or serving out a term of imprisonment in the City or County Jail, under a judgment of imprisonment, or under an alternative judgment of fine or imprisonment, who refuses to labor or who does not labor on the public streets or works when so required, is guilty of a misdemeanor. The City Marshal is hereby empowered and required to feed any refractory prisoner or prisoners on a diet of bread and water during the time that such prisoner or prisoners refuse to labor on said public streets or works, when required.

Sec. 5. Any person who shall engage in any disorderly or boisterous conduct, or disturb the peace of others by assaulting, striking or fighting, or who shall be found in an intoxicated or drunken condition upon any street, thoroughfare, alley, sidewalk, or grounds, or in or upon any premises within the corporate limits of this City; or who shall expose his person or any part thereof in an indecent or lewd manner or commit a nuisance in any public place within the corporate limits, or in any place in said City where there are other persons to be offended or annoyed thereby, is guilty of a misdemeanor.

Sec. 6. Any person who shall make in any public place, or suffer to be made on his premises, or upon premises under his control, any disorder or tumult to the disturbance of the public peace; and any person who shall utter in the presence of two or more persons bawdy, lewd or obscene words or epithets, or shall address to another any words language or expression having a tendency to create a breach of the peace; or any person who shall own or allow to be kept open, by day or night, any house of assignation, prostitution or illfame, the interior of which is not entirely protected from public gaze by a slatted blind covering the window, which blind shall be kept continually closed, and the door or doors of which house shall not be kept continually closed; or any inmate or frequenter, or person in any way connected with any house of illfame who shall publicly, at or near such house, or on the sidewalk or street in front thereof solicit, invite or entice any person to visit the same, is guilty of a misdemeanor. (Amendment Ord. 336, March 22, 1898.)

Sec. 7. Any person who shall keep or maintain any disorderly house or house of assignation, or who shall persuade or assist any female to visit any such house, or house of illfame, is guilty of a misdemeanor. And every day of the maintenance of such house shall be deemed and taken to be a new offense.

Sec. 8. Any person, excepting peace officers and travelers, who shall carry concealed upon his person any pistol or firearm, slung shot, dirk or bowle knife, or other deadly weapon without a written permission (revocable at any time) from the President of the Board of Trustees, is guilty of a misdemeanor.

Sec. 9. Any person who shall carry on his person or have in his possession any slung shot or instrument, or other thing commonly used or which may be used for throwing any shot, bullet, rock, stone or other missile, or in any manner use the same to the danger of persons or property in said City, is guilty of a misdemeanor.

Sec. 10. Every person who wilfully or maliciously breaks or destroys any windows, window sash, door, blind or pane of glass of any occupied or unoccupied or outhouse in the City of Fresno, or commits any nuisance therein, or breaks or destroys or injures anything therein, or any part of said house or outhouse, or any fence or improvements whatever, or who aids, abets or assists any one to commit such nuisance or to injure such property, is guilty of a misdemeanor.

Sec. 11. Every person who shall visit any house within the City of Fresno, for the purpose of soliciting food, or clothing, or alms, or who shall, in any public place in said City, solicit alms or money from any person, provided that this section shall apply only to those able-bodied persons commonly known as tramps, is guilty of a misdemeanor.

Sec. 12. Any person who shall discharge firearms of any description within the City of Fresno except in a duly licensed shooting gallery, or any person who shall discharge or explode any torpedoes, bombs, dynamite canes, fire crackers, sky rockets or fireworks of any description, or discharge or explode powder under an anvil or in a cannon, or in any other manner, without a permit in writing from the Chief of Police, which shall designate the place, time of firing or discharging and the number of discharges authorized (a copy of which permit shall be filed with the City Clerk before such firing is commenced), is guilty of a misdemeanor. The provisions of this section shall not be construed so as to prohibit any person from shooting destructive animals within or upon his own enclosure, nor to empower the Chief of Police to grant a permit under

any circumstances to authorize a person to fire, discharge or explode in said city, any giant powder or dynamite bombs, cannon or giant fire crackers, nigger chasers or dynamite canes. (Amendment Ord. 462, Nov. 7, 1904.)

Sec. 13. Any person who shall engage upon any public highway or square, within the corporate limits of the City, in any sport or exercise having a tendency to frighten horses, or injure persons passing; and any person who shall, in any public place, be guilty of conduct annoying to persons passing or being upon the streets or public ground, or upon adjacent premises; and whenever the free passage of a street or sidewalk shall be obstructed by a crowd (except on occasions of public meetings) any person or persons in such crowds who shall fail or refuse to disperse or move on, when directed so to do by the Marshal or his deputies, or a policeman, is guilty of a misdemeanor.

Sec. 14. Any person who shall make a false alarm by ringing the fire bell or by shouting fire, is guilty of a misdemeanor.

Sec. 15. Any person who shall ride or drive any horse or other animal upon any public highway or thoroughfare, within the corporate limits of the City, immoderately or beyond a moderate gait, or in such manner as to endanger the safety of persons on such highway or thoroughfare, is guilty of a misdemeanor.

Sec. 16. Any person who shall run or propel any railroad car, locomotive, hand-car, horse car, or any train of cars in this City, at a greater rate of speed than six miles per hour, or in such manner as to endanger or obstruct the free passage of any public street, is guilty of a misdemeanor.

Sec. 17. Any person who shall ride, drive, lead or tie any horse or mule on any sidewalk, or shall allow his horse, mule, wagon or street car, or other vehicle to stand upon the crossings of any street walk, is guilty of a misdemeanor.

Sec. 18. Any person who shall open and leave any gate extended across or upon any sidewalk, so as to be an obstruction to persons passing on such sidewalk, is guilty of a misdemeanor.

Sec. 19. Any runner, hackman, coach or omnibus driver, expressman, porter or peddler, who enters upon or into any railroad car, the depot or any platform or passageway leading to or from the same, while actually prosecuting his employment as such and wilfully violates and refuses to comply with such rules and regulations as may for that purpose be prescribed by the corporation owning or controlling such car, depot or platform, and approved by the Board of Trustees of this city, when printed copies of said rules and regulations showing such approval are kept posted conspicuously in or on said depot, platform or passageway, is guilty of a misdemeanor. (Amendment Ord. 309, July 18, 1895.)

Sec. 20. Any person who shall tear down, mutilate, remove, deface or destroy any notice, handbill, or sign of any business or performance of any kind, or any ornamental sign or awning posts, or any news or bulletin board, or who shall use any such boards for posting any notice, device or other matter, without the consent of the owner, is guilty of a misdemeanor.

Sec. 21. Any person who shall place or cause to be placed upon any public way, street or sidewalk, and any person owning or occupying, or having control of any premises who shall suffer to remain in front thereof, upon the sidewalk, or the half of the street or way next to such premises, anything which shall obstruct the free passage of such street or sidewalk for more than one hour at a time, is guilty of a misdemeanor.

This section shall not apply to goods or merchandise in actual course of receipt, delivery or removal, to goods or merchandise within the inner two feet in width of the sidewalk placed for the purpose of display and advertisement; lamp posts or hydrants erected by permission of the Board of Trustees or its President; ornamental trees planted along the outer line of the sidewalk and within the curb, and barriers for protection of the same; watering troughs placed by permission of the Board of Trustees or its President upon the sidewalks for the accommodation of the public; materials being used in the construction or repair of any building, if such materials shall not occupy more than one-third of the whole width of the street in front of such building; provided that in case materials are being used in the construction or repair of any building, not less than three feet of the sidewalk shall be left clear and free from obstructions, or a sidewalk or temporary walk not less than three feet wide, shall be built around or over any materials left in the street or the sidewalk by builders or their employees or agent in the construction of all buildings, such sidewalk or passage way to be free from obstruction and safe for foot travel and satisfactory to the Superintendent of Streets.

Each day of the continuance of the obstruction, forbidden as aforesaid, is a separate misdemeanor. (See Ord. No. 436.)

Sec. 22. Any person who shall do any act, or cause, suffer or create anything within the corporate limits of this City, which is injurious to public health, or which prevents or obstructs the free and comfortable enjoyment of life or property or is dangerous to the surrounding property, is guilty of a nuisance and a misdemeanor. In addition to the penalty provided by law against the person guilty of a nuisance, and whether the penalty be enforced or not, such nuisance may be abated by the Marshal or other executive officer of the City, upon order of the Board of Trustees so to do, at the expense of the person maintaining the same.

Sec. 23. Any person who shall, within the limits of this City, establish or carry on any slaughter house, or who shall slaughter animals, or who shall keep any number of hogs, or other animals; or who shall permit any stable, privy or vault to accumulate filth or excrementitious matter so as to emit an offensive smell to the annoyance of the neighborhood in the vicinity thereof, or who shall permit any cesspool or drainage to collect on his premise or premises under his control, in such manner as to be offensive to the senses or prejudicial to the health or comfort of the inhabitants of the City, or any portion thereof, or who shall place or permit to be or remain upon premises under his control any slop, garbage, offal, filth, dirt or any article or thing that emits an offensive odor, to the annoyance of the inhabitants in the vicinity, or who shall deposit any ashes, filth, rocks, sticks, wood, manure or other article or thing in any slough or conduit running through the City so as to prevent the flow of water therein, or who shall throw or deposit any ashes, filth, rocks, sticks, wood, manure or any other article or thing upon the premises of another, is guilty of a misdemeanor. (See Ord. 495, Secs. 27-43.)

Sec. 24. Any person who shall deposit any ashes in any wooden vessel, or on the floor of any building, or who shall deposit them on their own or other premises nearer than ten feet to any wood work or structure; or who shall build any fires or burn any refuse matter or deposit or throw into any street or alleyway any paper, ashes, dirt or trash of any kind or nature whatsoever, is guilty of a misdemeanor.

Sec. 25. Repealed, in effect by Ord. 405, Sec. 7.

Sec. 26. Every person making or using shavings, who shall at the close of each day, fail or refuse or neglect to cause the same to be securely stored away or disposed of, so as to prevent the same from being set on fire, is guilty of a misdemeanor.

Sec. 27. Any person who shall hitch any animal to any hydrant, on the streets of the City of Fresno, is guilty of a misdemeanor. (Amendment Ord. 453, March 21, 1904.)

Sec. 28. Any person who shall picket out any cow, horse or other animal, or graze the same upon the public street or sidewalk, or so near there as to endanger or annoy any pedestrian or horseman or occupants of any vehicle passing thereon, is guilty of a misdemeanor.

Sec. 29. Any person who shall permit the water to be or remain turned on, so as to let the same flow from the pipes of the Water Company, upon any premises under the control of such persons during the prevalence of any fire, after the alarms shall have been given, except where such water is used to extinguish said fire, is guilty of a misdemeanor.

Sec. 30. Any person driving any vehicle over any hose, while said hose is being used by the Fire Department, is guilty of a misdemeanor.

Sec. 31. Any person who shall break, injure, remove or displace, without lawful authority, any hitching post erected or maintained in this City for the purpose of hitching horses, or other animals thereto, is guilty of a misdemeanor.

Sec. 32. Any person who shall leave any horse, mule or other work animal upon any public street, alley or highway of the City of Fresno, or upon any square, plaza or lot opening into any such public street, alley or highway, without securely fastening or hitching such animal or animals to some substantial stationary object, unless the same are left in the immediate care of some person of suitable age and discretion, is guilty of a misdemeanor; provided, that where any such animal or animals are securely hitched or fastened to a weight of not less than twenty pounds, it shall be deemed a compliance with the provisions of this section. (Amendment Ord. 453, March 21, 1904.)

Sec. 33. 1. Any person having the possession or control of any velocipede, bicycle, tricycle, horse cart or other vehicle, who shall ride or permit or allow the same to be run on any sidewalk in the City of Fresno or in any public park or square within the limits of the City of Fresno is guilty of a misdemeanor.

2. Every person who shall ride a bicycle, tricycle or velocipede in any public lane, street, alley or thoroughfare within the corporate limits of the City of Fresno, immoderately or beyond a moderate gait, or in such manner as to endanger the safety of persons on such lane, street, alley or thoroughfare, is guilty of a misdemeanor.

3. Every person riding a bicycle, tricycle or velocipede in the night time in any public street, lane, alley or thoroughfare within the limits of the City of Fresno must have a lamp and bell or horn attached thereto, and must keep the said lamp lighted, and must ring the said bell or sound the said horn loudly and continuously immediately before reaching and while traversing every public street crossing, and every person failing so to do is guilty of a misdemeanor. (Amendment Ord. 278, June 8, 1893.)

Sec. 34. Any person who shall carry upon any sidewalk a basket or baskets, bag or bags, suspended from or attached to a pole upon or across the shoulders, and any person who shall carry upon any sidewalk any rubbish, garbage or filth, so as to be offensive to pedestrians, is guilty of a misdemeanor.

Sec. 35. Any person who shall cut, break, deface or injure any grass plat, trees, shrubs, flowers, bench, chair, outhouse, building, or fixture upon any street, public walk, park or other public place in this City; or who shall lie or sleep upon any chair, bench or seat in any improved public park or plaza; or who shall break or injure any lamp posts, or extinguish during the night time, any light maintained for public convenience or safety within said City, without lawful authority; or who shall remove or cause the removal of any street guide, or any portion thereof from any public lamp or post; or who shall obliterate, deface, destroy or interfere with any street guide or any portion thereof upon or attached to any fence, post or any public lamp post; or who shall obliterate, deface or remove any public number upon any house, door, building or public place, is guilty of a misdemeanor.

Sec. 36. Any person is guilty of a misdemeanor who shall in any manner, or for any purpose:

Break up, dig up, disturb, undermine, or dig under, or cause to be dug up, broken up, disturbed, undermined, or dug under, any public street, highway or place;

Tear up, break or loosen, any stones, lumber, planks, blocks or materials of a bridge, street or alley;

Take or carry away any stones, lumber, planks, blocks or material of a street, bridge or alley, or any free or loose stones, lumber, plank, blocks or materials of a bridge, street or alley;

Fill in, put, place thereon or deposit in or upon any public street, highway or place, any earth, sand, dirt, clay, manure or rock, without the permission, implied or expressed, or authorization of the corporation, acting by its proper agents.

Sec. 37. Any person who, being permitted so to do, as aforesaid, shall have broken up, dug up, disturbed, undermined or dug under any public street, highway or place, shall, as soon as possible complete the work, which he is authorized to do, and shall without delay put the street, highway or place in as good condition as it was before such work was done; and shall remove all surplus sand, clay, earth, dirt, manure or rubbish.

And for any willful or negligent failure to complete the work aforesaid, or to repair the damage done thereby, as aforesaid, such person is guilty of a misdemeanor.

Sec. 38. Any person by whom, or under whose immediate direction, or by whose immediate authority, as principal or as contractor or as employer, any portion of a public street may be made dangerous, is guilty of a misdemeanor, unless he shall erect and so long as the danger may continue, maintain around the portion of the street or highway so made dangerous, a good and substantial barrier; and shall cause to be maintained, during every night from sunset to daylight, lighted lanterns at the points of danger sufficient to give fair warning from every point of approach.

Sec. 39. No person having control of any wagon, cart, or other vehicle, used for jobbing purposes, shall allow such wagon, cart or vehicle to remain or stand for any length of time in front of any store, dwelling or building without the consent of the owner or occupant. Provided, that wagons, carts or vehicles so used are allowed to stand on K, Fresno, Tulare and M streets, on the side of said streets next to the public square.

No person having charge of, control of any wagon, cart or vehicle loaded with hay, wood or coal, shall permit or allow the same for any

length of time (than loading or unloading) on any public street, highway or alley of this City, except as herein provided for teams used for jobbing purposes.

Any person willfully continuing to violate the provisions of this section, after being warned by the Marshal, or Superintendent of Streets, or any Policeman, is guilty of a misdemeanor. (Amendment Ord. 243, Oct. 9, 1891.)

Sec. 40. Any person owning or having in his possession or under his control any water pipe or drain, who shall permit the waters therefrom to run across any sidewalk, public street or alleyway, so as to injure the same or obstruct the free travel thereon, is guilty of a misdemeanor.

Sec. 41. It is a misdemeanor for any person, either owner, contractor, agent, employe or servant to have or maintain upon any street, sidewalk or alleyway, either temporarily or permanently, for the purpose of building, repairing or convenience any hole, break, cavity or dangerous obstruction, unless substantially protected from danger of accident. Such person is excused from liability, under this section, by using properly some means or device for protection approved by the Street Superintendent.

Sec. 42. Any person who shall destroy, injure or remove any notice or monument erected or placed by the City Engineer or Superintendent of Streets, is guilty of a misdemeanor.

Sec. 43. It is a misdemeanor to erect or place any structure for exhibiting any bills, posters or advertisements (excepting bulletin boards) in any street, alley or public place, without written permission therefor from the President of the Board of Trustees.

Sec. 44. It is a misdemeanor for any person to have in any of the streets, alleys or public grounds, or within any enclosure exposed to view, any stallion, bull or jackass, for the purpose of exhibition or advertisement.

Sec. 45. Any person under the age of fourteen years who shall visit any saloon or tippling house where liquors are sold at retail; or frequent any improper places of resort; or who shall loiter upon the public streets, sidewalks or public grounds of the City of Fresno, after the hour of eight o'clock p. m. without written permission of the parents or guardian of such person and after being warned by a peace officer, is guilty of a misdemeanor.

Sec. 46. Any person, the proprietor or keeper or bartender of any saloon, tippling house or other place where liquors are sold at retail, who permits any person under the age of sixteen years, to visit such place under his control, without a written permit from the parent or guardian of such minor, is guilty of a misdemeanor.

Sec. 47. Any minor of or under the age of sixteen years, who, in the streets, or in any of the public places of this City, smokes cigars, cigarettes or tobacco in any form; and any person who directly or indirectly sells or gives to any such minor, in this City, cigars, cigarettes or tobacco in any form, or cigarette paper, is guilty of a misdemeanor.

Sec. 48. Any boy under the age of sixteen years, who shall get on, or attempt to get on any car or train of cars propelled by steam, or get off or attempt to get off any such car or train of cars, while the same is in motion, is guilty of a misdemeanor.

Sec. 49. Any person who shall establish, maintain or carry on the business of public laundry or wash house where articles are cleaned for hire, is guilty of a misdemeanor, unless he shall have obtained:

First: From the President of the Board of Health a certificate that the premises are sufficiently drained and that such business can be carried on without injury to the sanitary condition of the neighborhood;

Second: From the Fire Marshal of said City a certificate that the heating appliances are in good condition and that their use is not dangerous to the surrounding property.

Sec. 50. Any person who shall, at a fixed stand or place of business, buy, sell or keep on hand for sale any second hand clothing, books, firearms, knives, tools or implements of industry of any kind, shall be deemed a junk shop keeper.

Sec. 51. Every junk shop keeper shall keep a register showing the names of all persons from whom he purchases or trades for any article or thing whatever, and the date and name or description of such article or thing so purchased or traded for. He shall also keep a register showing the names of all persons to whom he shall sell or trade any article or thing, and the name or description of such article or thing so sold or traded, and the date of such sale or exchange. Such register shall be open to the inspection of the Marshal or any of his deputies, or of any policeman or detective.

Sec. 52. No junk-shop keeper or pawn broker shall purchase, trade for or receive on any pretext, any article or thing whatever from any minor under the age of eighteen years, without the written consent of the parent or guardian of such minor.

Sec. 53. No junk-shop keeper or pawn broker shall hire, loan or deliver to any minor under the age of eighteen years, any gun, pistol or other firearm, dirk, bowie-knife, powder, shot, bullets or any weapon, or any combustible or dangerous material without the written consent of the parent or guardian of such minor.

Sec. 54. Any person who shall violate any of the provisions of sections 51, 52 and 53 is guilty of a misdemeanor.

Sec. 55. It shall be a misdemeanor for any person within the City of Fresno to keep on hand or vend, or give away or dispose of any fruits, vegetables, fruit trees or ornamental shrubs which are infested with pests such as cottony cushion scale, red scale or San Jose scale, or any other pest injurious to fruits, vegetables, fruit trees or ornamental shrubbery, and having a tendency to spread and propagate itself.

Sec. 56. It shall be the duty of the Board of Trustees to appoint, by resolution, at any time and under such salary as may be fixed by the Board by such resolution, an inspector of fruit and quarantine officer, whose duty it shall be to inspect fruit, fruit trees, ornamental shrubbery and vegetables, within the City of Fresno, and to quarantine against the introduction of infected fruit, fruit trees, ornamental shrubbery and vegetables, and to cause the same, when so infected, to be destroyed; and shall have power to order persons having the same on hand, or vending the same, to destroy them, and see, in person, that the same are so destroyed; and to enforce, as a misdemeanor, the provisions of the preceding section against any person whom he may deem willfully violating the same.

Sec. 57. Any person wearing a fireman's badge, in the City of Fresno, such person, not being a member in good standing of the Fire Department of said City, is guilty of a misdemeanor.

Sec. 58. Any person, association of persons, or corporations who shall run, or stretch or maintain, through, along or across any street or alley,

any wire, cable, rope or cord, on poles or otherwise, at a less height than thirty feet, without the permission of the Board of Trustees, is guilty of a misdemeanor; and any such wire stretched less than thirty feet from the ground is hereby declared a nuisance.

Sec. 59. It shall be the duty of the Fire Marshal of the City of Fresno to give reasonable notice to any person or corporation having or maintaining or stretching wires, cables, ropes or cord, or having caused the same to be stretched in any street or public place, contrary to the provisions of the preceding section, to remove the same; and in case such removal be not so made, said Fire Marshal may remove such wire or other obstruction, or prosecute any person or corporation willfully maintaining the same or may both remove and prosecute.

Sec. 60. Each day of the willful continuance of any act prohibited by any ordinance of this City, is a distinct misdemeanor.

This provision includes among other things the continuance to erect or construct any building or structure which, when completed, would be a building or structure prohibited by ordinance in the locality where so erected or constructed.

Sec. 61. Any auctioneer, his agent or clerk, who shall sell or expose for sale by auction any livestock, goods, wares, merchandise or other things, of whatever nature, to any person or persons who, at the time of bidding for or while examining the same, shall be on any public street or sidewalk of said City, without having first obtained from the Street Superintendent a permit so to sell or to expose for sale at such place, is guilty of a misdemeanor.

Sec. 62. Any person who shall drive any vehicle over any taut rope, wire or cable while in use in moving any building or structure, in any public place in the City of Fresno, or who shall cut or smash or otherwise injure the same while in use, or who shall willfully interfere with the workmen, tools or horses engaged in the work of removing a building, is guilty of a misdemeanor.

Sec. 63. All persons who carry on, or attempt to carry on any business, occupation or performance for profit, without procuring the proper license therefor, and all persons who aid, assist or abet such persons in so doing, as their servants, agents or employes, are guilty of a misdemeanor; and in case of a circus or other public performance, they shall be arrested and prevented by the City Marshal from effecting such purpose.

Sec. 64. The sidenotes or catchwords in this ordinance are no part of said ordinance.

Sec. 65. This ordinance shall be in force from and after its passage, printing and posting.

Sec. 66. Any person who uses any cart or vehicle upon any public street, lane, or alley, within the limits of the City of Fresno, for the conveyance or removal of swill, garbage, butchers' offal, the contents of cess-pools or private vaults or any other filth whatever, between the hours of five o'clock A. M. and nine o'clock P. M. from the first day of May, and the first day of November, and between the hours of seven o'clock A. M. and seven o'clock P. M. from the first day of November to the first day of May of each year without a special permit from the Board of Trustees is guilty of a misdemeanor. (Sec. Substituted by Ord. 376, July 16, 1900.)

Sec. 67. Any person who shall throw or deposit, or permit to be thrown or deposited any dirt, paper, filth, sweepings of any store, house, shop or office, or any ashes, shavings, filth water, offal, straw, wood, stones, earth, manure, refuse matter or rubbish of any kind whatsoever, into any street, lane, alley or public ground, is guilty of a misdemeanor. And any person or persons having control of premises from which any of the aforesaid articles shall be or may have been thrown or deposited in any street, lane, alley, or public ground or place who shall fail to remove the same therefrom within four hours after receiving knowledge thereof, is guilty of a misdemeanor. And any person who, except before the hour of 8 A. M. of Friday of each week washes or cleans or causes to be washed or cleaned any plank, stone or cement sidewalk or any plate glass, front or exposition window on the line of the sidewalk by using water in such quantities as to run into the gutters of the streets, or by applying water directly from a hose is guilty of a misdemeanor. (Added by Ord. 282, Oct. 5, 1893.)

Sec. 68. Any person who uses or maintains barbed wire for fencing purposes within the City of Fresno or surrounds any lots, buildings or structures with the same within said City is guilty of a misdemeanor, and upon conviction thereof shall be punished accordingly. (Added by Ord. 285, Dec. 28, 1893.)

Sec. 69. Any proprietor, keeper, bartender, clerk or any other person having the charge or control of any saloon, bar-room, billiard-room or pool-room, or cigar store, or of any other public place within the City of Fresno, who permits any person under the age of 18 years to play or engage in, or be present at any game of billiards, pool or of cards, without the express consent of the parent or guardian of such minor, is guilty of a misdemeanor; and any person under the age of 18 years who plays or engages in or is present at any game of billiards, pool or of cards in any public place within the said City of Fresno, without the express consent of his parent or guardian, is likewise guilty of a misdemeanor. (Amendment Ord. 307, June 20, 1895.)

Sec. 70. Any proprietor, keeper, bartender, clerk or any other person having the charge or control of any saloon, bar-room or other place where malt, vinous or spirituous liquors are sold in quantities less than one quart and used as a beverage, who permits any female to visit said place, or ante-room or compartment connecting with the same, is guilty of a misdemeanor and any female who visits any such drinking saloon, bar-room, or other such place is likewise guilty of a misdemeanor. (Amendment Ord. 307, June 20, 1895.)

Sec. 71. Any person who shall spit or expectorate, on the floor of any street railway car, or other public conveyance or public building, or any sidewalk in the City of Fresno, is guilty of a misdemeanor. (Added by Ord. 331, June 24, 1897.)

Sec. 72. No person or persons shall, in any theater in the City of Fresno, wear any hat or bonnet or other head-gear, that shall obstruct the view of those sitting behind them, while a performance or other entertainment is actually in progress at such theater. (Added by Ordinance No. 340.)

ORDINANCE NO. 237.

In effect June 10, 1891.

An Ordinance to re-enact certain provisions of sections 1390, 1391, 1392, 1393, 1396, 1398, 1399, 1400, 1401, 1402, 1405, 1406 and 1407 of the ordinance entitled, "An ordinance to establish municipal regulations for the

City of Fresno," passed November 28th, 1885, and to repeal all ordinances and parts of ordinances inconsistent with the provisions of the ordinances numbered 220, 221, 223 and 224.

The Board of Trustees of the City of Fresno do ordain as follows:

(Sections 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 are repealed by the Charter.)

Sec. 3. The common seal of this city shall be argent, a bunch of grapes proper, surrounded by the inscription, "City of Fresno, Incorporated 27th October, 1885."

Sec. 4. Until this city has a City Prison all persons sentenced to imprisonment for the violation of any ordinance thereof must be imprisoned in the County Jail of the County of Fresno and the expense of such imprisonment shall be a charge in favor of said County against this City.

Sec. 16. All ordinances and parts of ordinances inconsistent with the provisions of this ordinance and of (the aforesaid) ordinances, numbered 220, 221, 223 and 224 are hereby repealed.

Sec. 17. This ordinance shall take effect and be in force from and after its passage, printing and posting as provided by law.

ORDINANCE NO. 251.

In effect March 7, 1892.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. That any person, persons or corporation who shall hereafter make application to the Board of Trustees of the City of Fresno, asking said Board to grant a franchise within the corporate limits of said City shall be required to accompany such application with and deliver to the City Clerk of said City a certificate of deposit or check duly certified by a solvent bank payable to said City, which said sum of money said City shall be at liberty to draw upon and use in meeting and defraying all necessary expenses that may be incurred by said City in reference to and by reason of any action or proceeding that may be had or taken by said Board in pursuance of such application. And if there shall remain any balance in the hands of the City after all such expenses shall have been paid the same shall be returned to the person, persons, or corporation who deposited the same or to their order.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage and approval.

ORDINANCE NO. 257.

In effect June 6, 1892.

An Ordinance requiring applications for franchises within the corporate limits of the City of Fresno, to be accompanied by certified checks.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. Any person, persons or corporation who shall hereafter make application to the Board of Trustees of the City of Fresno, asking same Board to grant a franchise within the corporate limits of said City, shall be required to accompany such application with, and deliver to the City Clerk of said City, a check for the sum of \$300.00 duly certified by

a solvent bank and made payable to the City of Fresno, as a guarantee of good faith in the event of the said City making such grant. Said check shall be forfeited to the City of Fresno and be collected for the use and benefit of said City, should the grantee fail to carry out all the provisions and requirements contained in the said franchise.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage, approval and publication.

ORDINANCE NO. 281.

In effect October 3, 1893.

An Ordinance requiring all water and gas companies to file with the Superintendent of Streets a map or plat of any proposed extension, alteration or repair of their pipes, etc.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. No water or gas company shall hereafter make any extension, alteration or repair of any of their lines of pipe now situated in the streets or alleys of this City without first filing with the Superintendent of Streets a map or plat thereof showing in detail the proposed extension, alteration or repair, where situated, the size of pipe and the location of all valves, openings and hydrants, and shall obtain from said Superintendent his consent in writing therefor.

Sec. 2. Any officer or employe of any such company not complying with the requirements herein shall be deemed guilty of a misdemeanor and shall be punished accordingly.

Sec. 3. This ordinance shall take effect and be in force from and after its passage and publication.

ORDINANCE NO. 341.

In effect July 18, 1898.

An Ordinance providing for the inspection and disinfection of second-hand goods.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. No person, firm or corporation shall buy, sell or exchange within the City of Fresno any second-hand furniture, bedding, carpets, clothing, books or other second-hand goods, wares or merchandise brought from without the City of Fresno, or permit any such second-hand furniture, bedding, carpets, clothing, books or other second-hand goods, wares or merchandise to be brought into and delivered in the City of Fresno, for use, sale, or exchange until the same shall have been first inspected by the Health Officer of this City, and said furniture, bedding, carpets, clothing, books, or other goods, wares or merchandise, shall, if ordered by said Health Officer be thoroughly fumigated or disinfected by the owner or consignee thereof before it is delivered, sold or exchanged, or offered for sale or exchange.

Sec. 2. If the owner or consignee of any articles mentioned in the preceding shall fail, refuse or neglect to fumigate or disinfect any such article or articles within forty-eight hours from notice from the Health Officer so to do, the Health Officer may forthwith proceed to have such article or articles fumigated or disinfected and the cost and expense

thereby incurred shall be chargeable to the owner or consignee of such article or articles and shall be a lien thereon.

Sec. 3. Any person or persons willfully violating any of the provisions of this ordinance is guilty of a misdemeanor.

Sec. 4. This ordinance shall take effect and be in force from and after its passage and publication.

ORDINANCE NO. 388.

In effect July 15, 1901.

An Ordinance concerning certain powers and duties of the Chief of Police.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. All the powers conferred and duties enjoined upon the "Marshal" or the "City Marshal," by an existing ordinance of the City of Fresno, being No. 221, entitled "An ordinance declaring and providing for the punishment of misdemeanors; as amended heretofore, shall hereafter be exercised and performed by the Chief of Police of the City of Fresno.

Sec. 2. All the powers conferred and duties enjoined upon the "Marshal" or the "City Marshal"—by any law or ordinance now existing, and in force or applicable to the City of Fresno, shall hereafter be exercised and performed by the Chief of Police of the City of Fresno. (See charter, Sec. 242.)

Sec. 3. This ordinance shall take effect and be in force from and after its passage.

ORDINANCE No. 390.

In effect August 19, 1901.

An Ordinance concerning certain performances in and about places where spirituous, vinous, malt or intoxicating liquors are sold or used as a beverage.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. No person shall cause, procure or employ any person for hire, drink, gain or otherwise, to play upon any musical instrument or to dance, promenade, sing or give any vaudeville, theatrical, operatic or other performance, or otherwise exhibit himself or herself in (or near enough to attract to such place several persons) any drinking saloon, bar-room, dance cellar, ball room, public garden or in any place whatsoever, if in such place or at such place there is connected therewith the sale, directly or indirectly for use as a beverage, or to be drunk at or near such place of any intoxicating, spirituous, vinous, or malt liquors; nor shall any person owning or having charge or control of any such place, allow any person to play on such instrument, or any phonograph, graphophone, gramophone or any other instrument that reproduces the voice, or sound, song or music, or cause or allow the same to operate automatically or otherwise; nor allow any person in, at or near such place to sing, dance, promenade or otherwise perform, so as to attract or amuse, where two or more persons are present, or so as to attract or cause to come together two or more persons; and no person shall do any of the acts herein specified which others are hereby forbidden to cause or allow to be done.

Sec. 2. No person shall exhibit or keep for exhibition or inspection or permit to be exhibited or seen in or about any of the places mentioned or referred to in Section 1 of this ordinance, and obscene or lewd picture or image, or any machine or device containing any such picture or pictures.

Sec. 3. Every person violating any of the provisions of this ordinance, or any of the prohibitions thereof, shall be subject to arrest, and if found guilty, shall be punished by a fine not exceeding \$300.00 or by imprisonment not exceeding ninety days, or by both such fine and imprisonment.

Sec. 4. This ordinance shall take effect and be in force from and after its passage.

ORDINANCE NO. 394.

In effect October 14, 1901.

An ordinance concerning domestic fowls and prohibiting the trespass of the same upon the premises of persons other than the owner within the City of Fresno.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. It is hereby declared unlawful for any person owning or having control of any pigeons, chickens, ducks, geese, turkeys or other domestic fowls to permit the same to run or go upon the premises of any other person within the City of Fresno. (Amendment Ord. 402, November 18, 1901.)

Sec. 2. Any person who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding Ten Dollars (\$10.00), or be imprisoned in the County Jail for a term not exceeding twenty days, or by both such fine and imprisonment.

Sec. 3. This ordinance shall take effect and be in force from and after its passage and publication.

ORDINANCE NO. 398.

In effect October 21, 1901, except Sec. 1 and 2 in effect Jan. 1, 1902.

An Ordinance relating to gambling and prohibiting all gaming machines and certain classes of gambling, and providing a punishment for a violation thereof.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. It shall be unlawful for any person, either as owner, leasee, agent, employe, mortgagee, or otherwise, to operate, keep, maintain, rent, use or conduct, within the City of Fresno, any clock, tape, slot or card machine, or and other machine, contrivance or device upon which money is staked or hazarded upon chance, or into which money is paid, deposited or played upon chance, or upon the result of the action of which money or any other article or thing of value is staked, bet, hazarded, won or lost upon chance.

Sec. 2. It shall be unlawful for any person, either as owner, lessee, agent, employe, mortgagee, or otherwise, to operate, keep, maintain, rent, use or conduct, within the City of Fresno, any machine, contriv-

ance, appliance or mechanical device, upon the result of the action of which money or other valuable thing is staked or hazarded, and which is operated or played by placing or depositing therein any coins, checks, slugs, balls or other article or device, or in any other manner, and by means of the action whereof or as the result of the operation of which, any merchandise, money, representative of article of value, check or token redeemable in, or exchangeable for money, or any other thing of value, is won or lost or taken from or obtained from such machine, when the result of the action or operation of such machine, contrivance, appliance or mechanical device is dependent upon hazard or chance.

Sec. 3. It is hereby declared unlawful for any person within the City of Fresno to conduct, carry on, deal, play or bet at or against any game played with cards, dice or any other instrument, thing, device or machine, for money, chips, credit, or any other representative of value, when such game of cards, dice or other instrument, thing, device, or machine is played with a kitty, take out, or rake off, or with or in connection with any device, scheme, or arrangement whereby any portion of the gains, losses, bets or stakes of said game, or of any of the players thereat, is taken out, laid aside, or paid for drinks, cigars, cards, dice, refreshments, light, fuel, rent or for any other consideration or thing whatsoever, or is paid to, taken out or laid aside for the use or benefit of any person owning or managing, conducting, controlling or having the control, conduct or management of the game, room, apartment or place wherein or in which such game of cards, dice or other instrument, thing, device or machine is dealt, played, conducted or carried on.

Sec. 4. It is hereby declared unlawful for any person within the City of Fresno to rent, open up, carry on or conduct, or have charge or control of any room, apartment or place in said city wherein or whereat any game played with cards, dice or any other instrument, thing, device or machine is played, dealt, conducted, carried on, or permitted to be paid or dealt for money, checks, chips, credit, or other representative of value, with a kitty or take out, or rake off, or with or in connection with any device, scheme or arrangement whereby any portion of the gains, losses, bets or stakes of said game, or of any of the players thereat, is taken out, laid aside or paid for drinks, cigars, cards, dice, refreshments, light, fuel, rent or for any other consideration or thing whatsoever, or is paid to or is taken out, or laid aside for the use or benefit of any person owning, managing, conducting, controlling or having the control, conduct or management of said game, room, apartment or place wherein or whereat such game played with cards, dice, or other instrument, thing, device or machine is played, dealt, conducted or carried on.

Sec. 5. It shall be the duty of the Chief of Police and every policeman to be vigilant in finding any and all places where any game, device or machine, prohibited by this ordinance, is used, played, carried on or conducted, and in making arrests, all persons liable to punishment, or whom they have good reason to believe are so liable, under this ordinance, shall be arrested, and it shall be their duty to proceed with them as in the case of other persons liable to punishment as for a violation of penal ordinances, and any such officer or policeman who fails or neglects to perform the duties herein enjoined, shall be subject to dismissal from the service and from his office.

Sec. 6. Any person violating any of the provisions of this ordinance, or who shall do any act herein declared to be unlawful shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars or more than \$300.00 or by imprisonment in the City or County jail not exceeding ninety days, or by both such fine and imprisonment.

Sec. 7. This ordinance shall take effect and be in force from and after its passage, except sections one and two thereof, which shall take effect and be in force on the first minute of the first day of January, 1902.

ORDINANCE NO. 405.

In effect January 20, 1902.

An Ordinance prohibiting certain kinds of advertising within the limits of the City of Fresno, and making provision for punishment of violations thereof.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. It is hereby declared unlawful for any person upon any public sidewalk, street, alley or public place in the City of Fresno, to carry, bear or support any banner, sign, transparency, framework, device or emblem used or purporting to be used, or intended as an advertisement of any trade, profession or business, place of business, office, store or occupation, or used or purporting to be used, or intended to divert trade, business, patronage or custom from any person, firm or corporation.

Sec. 2. It is hereby declared unlawful for any person upon any public street, sidewalk, doorway, stairway, window, alley or public place in the City of Fresno, to blow any bugle, horn, trumpet, or beat any drum, or ring any bell or to drive any horse, team or wagon to which is attached any bell or gong that rings or sounds when said team or horse is in motion, or to make any other loud or unusual noise for the purpose of, or with the intention of advertising, proclaiming, publishing, announcing or calling attention to any business, calling, occupation, firm, dealer, amusement, show, exhibition, event, prize fight, boxing contest, goods, wares, merchandise or other property.

Sec. 3. It is hereby declared unlawful for any person to lead, ride or drive upon any public street, alley or place within the City of Fresno, any animal or animals upon which is placed or carried, or to which is attached any banner, sign, advertisement, picture or other device, advertising, publishing, proclaiming, announcing or calling attention to, or intending to advertise, publish, proclaim, announce or call attention to any business, calling, occupation, firm, dealer, place of business, show, exhibition, event, goods, wares, merchandise, or other property, or any contest, prize fight, boxing contest, or which attempts or purports, or is intended to divert or drive away trade, business, patronage or custom from any person, firm or corporation.

Sec. 4. It is hereby declared unlawful for any person to drive, push, pull or propel upon any public street, alley or public place in the City of Fresno, any advertising wagon, buggy, cart, vehicle or machine, or any wagon, buggy, cart, bicycle, vehicle or machine used exclusively for advertising purposes, or used or purporting to be used or intended to be used for the purpose of diverting or driving away, or drawing off custom, trade, business or patronage from any person, firm or corporation.

Sec. 5. It is hereby declared unlawful for any person upon any public street, alley, sidewalk, or public place in said city, or in any doorway or stairway leading or opening upon any such public street, alley, sidewalk or public place, to cry, proclaim, or announce any firm, dealer or place of business, show, exhibition, event, goods, wares, merchandise or property, for the purpose of advertising, proclaiming, announcing, or otherwise calling attention to the same; or for the purpose of diverting

or turning away, or drawing off custom, trade, business, or patronage, from any person, firm or corporation; provided, that this section shall not apply to newsboys calling attention to or crying out newspapers which they have for sale.

Sec. 6. It is hereby declared unlawful for any person to post, stick, stamp, print or otherwise affix, or cause to be posted, stuck, stamped, printed or otherwise affixed any bill, poster, advertisement or notice (except official notices) upon any telegraph pole, telephone pole, fire alarm pole, electric light pole, awning or shelter pole or the pole of any electric street railway company in the City of Fresno, or upon the curbing of any public street or alley in said city; or to mar, deface, change the appearance of, injure or write upon any such pole or street curbing.

Sec. 7. It is hereby declared unlawful for any person to hand or distribute to, or among pedestrians, or to place, throw, or deposit, or cause to be placed, thrown, or deposited into, or upon any car or conveyance, doorstep, porch, yard, or lawn within the City of Fresno, or upon any of the public streets, alleys, sidewalks, advertisements, paper, bill, poster, notice, hand bill, advertising card, business card, advertising device, dodger or emblem used, or purporting to be used or intended as an advertisement or notice of any article of merchandise, or any trade, profession or business, show, exhibition, theater, store, occupation of any person, firm or corporation; or used or purporting to be used, or intended to divert, draw off, turn or drive away patronage, custom, business or trade from any person, firm or corporation; provided, that nothing in this section shall apply to the United States mail carriers in the discharge of their duties in the distribution of mail matter, or to the sale or delivery of newspapers; provided, further, that nothing herein contained shall prevent house to house advertising by placing advertising matter, carefully prepared in book, parcel, pamphlet, sheet, page or bundle form, within the outer door of any resident within the City of Fresno without knocking or ringing the door bell, or by handing such advertising matter, so prepared to any inmate of such residences. (As amended by Ordinance 563.)

Sec. 8a. It shall be unlawful for any company, corporation, individual, co-partnership, association, theatrical company or circus, to advertise within the City of Fresno, by placing cloth banners upon any of the buildings, fences, walls, structures or other places upon any of the streets, alleys, or highways within said City of Fresno. (Added by Ordinance 563.)

Sec. 8b. It shall be unlawful for any theatrical company, social entertainment, fair, amateur or professional athletic exhibition or individual advertising within the City of Fresno by means of single sheet boards to use more than twenty-five of said single sheet boards at any one time or by placing any of said boards upon any of the sidewalks, streets, alleys or highways within said city, but nothing herein contained shall prevent said persons, companies or associations so advertising from placing said single sheet boards in any door-way, alcove or recess of any building within said city where permission to so place the same is first had from the owner, tenant or occupant of said building where said boards shall be so placed. (Added by Ordinance 563.)

ORDINANCE NO. 405.

Sec. 8. It is hereby declared unlawful for any person to post, stick, stamp, print or otherwise affix, or cause to be posted, stuck, stamped, printed or otherwise affixed, any bill, poster, notice or advertisement to, or upon any house or part thereof, outbuilding, or upon any wall, fence, gate post, sidewalk, trees, or boxes around trees, awning or shelter posts in any part of the City of Fresno without the permission in writing of the owner, agent or occupier of the premises to do so; provided, that nothing in this section shall prevent licensed bill posters from posting bills upon billboards owned or controlled by them.

Sec. 9. Sections one (1) and two (2) of this ordinance shall be subject to the PROVISIO that the Mayor, in the exercise of his sound discretion, upon application and a proper and satisfactory showing, may grant a special permit, under such reasonable restrictions as in his judgment shall be necessary to safeguard the public interests of said city, for the doing of such of the acts forbidden by said sections one and two hereof as he may determine, when, in his judgment, the issuance of such permit shall not conflict with the purposes of this ordinance; provided, further, that such permit shall specify the time when, and the streets or place where any of said acts may be done.

Sec. 10. Any person violating any of the provisions of this ordinance, or doing any of the acts herein declared to be unlawful, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding the sum of one hundred dollars, or by imprisonment in the City or County jail not exceeding fifty days, or by both such fine and imprisonment.

Sec. 11. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Sec. 12. This ordinance shall take effect and be in force from and after its passage.

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ORDINANCE NO. 406.

In effect January 27, 1902.

Entitled an Ordinance concerning flagmen at railroad crossings in the City of Fresno, regulating the stationing of and the duties of such flagmen, and others in respect thereof, and providing penalties for violation of this ordinance.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. All persons, firms and corporations owning, operating or controlling any steam railway, engines or cars propelled by steam, upon Q street or between P and R streets in the City of Fresno, are hereby required to station flagmen and keep said flagmen stationed at the intersection of the main line track with Tulare Street and also Ventura Street; and all persons, firms or corporations owning, operating or controlling any such steam railway engines or cars propelled by steam, upon or between G and H Streets in this City, are hereby required to station flagmen, and keep them stationed, at the crossing of the main line track with Fresno, Tulare and Kern Streets, and from the 1st day of August to the 20th day of December of each year at such crossing also with Ventura Street; and from the 1st day of August to the 20th day of December of each year also at such crossing with Mono Street.

Provided, that such flagmen shall be so kept stationed at such places during the hours from 6 A. M. to 7 P. M., between the 1st day of December and the 1st day of June, and from 6 A. M. to 8 P. M., between the 1st day of June and the 1st day of December of each year. (Amendment Ord. No. 410, March 3, 1902.)

Sec. 2. No person, firm or corporation owning, operating or controlling any railway engine or cars upon any of said streets, or running or used thereon, shall cause or permit the said engine or any car to pass any of the points or go upon any of the said crossings, above mentioned in Section 1 hereof, within any of the times when required by Section 1 hereof, until such flagman stationed at such point or crossing shall signal him or them so to do; and no flagman so stationed shall ever so signal so long as the passing of such engine or cars would be dangerous to any person or vehicle approaching such points or crossing. (Amendment Ord. No. 410, March 3, 1902.)

Sec. 3. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and, upon conviction thereof shall be punished by a fine not exceeding three hundred dollars, or imprisonment not exceeding ninety days, or by both such fine and imprisonment.

Sec. 4. This ordinance shall take effect and be in force from and after its passage.

ORDINANCE NO. 407.

In effect January 27, 1902.

An Ordinance relating to the pound-keeper; prescribing his powers, duties and compensation, and the fees to be collected by him and the disposition of the same.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. The City pound-keeper shall execute a bond to the City of Fresno, in the penal sum of one thousand dollars, with such security

or sureties as shall be approved by the Board of Trustees, for the faithful performance of his duties, and shall hold his office and receive a compensation for such time and in such amount, and shall discharge such duties as in this or other ordinances from time to time provided.

Sec. 2. The City pound-keeper shall be appointed by the Mayor, and he shall take and have charge of the City Pound and crematory, and he shall furnish metal tags for dogs registered to the persons owning or controlling the same, upon payment of the fees therefor; he shall take and impound all animals found running at large upon any street, sidewalk, lane, alley or other public or unenclosed place within the City of Fresno, except dogs duly registered for the time being. He shall also cremate all filth and garbage or other combustible material that may be deposited within the pound, the City furnishing the necessary fuel.

He shall take good care of all the machinery, pumps, tanks, windmills and other property and appliances of the pound and crematory and comply with instructions from the Board of Trustees, or its proper committees, as to the quantity and character of fuel and other material used.

He shall have the right to gather and sell for his own use all junk and non-combustible refuse material delivered at the pound; and the delivery of such material and of all garbage and refuse combustible material at any place within the city, elsewhere than within the pound enclosure, is hereby forbidden. (Amendment Ord. 429, February 9, 1903.)

Sec. 3. In lieu of all license tax now imposed upon dogs by this city, which tax is hereby intended to be abolished, those owning or having charge of dogs shall be subject to the provisions of this ordinance, in respect to dogs, and it shall be the duty of the pound-keeper to register, once every twelve months, in a book kept for that purpose, all dogs in this city, charging and collecting therefor the sum of \$1.00 from such owner or person having charge thereof (except persons who have paid heretofore, a license tax for such dog,—such dogs being exempt herefrom until expiration of such license), and upon the payment of such fee, he shall enter in such dog-register book a description sufficient to identify such dog, with name of owner, and number and date of registration, and he shall then deliver to the person making such payment, a metal tag, with the number and date thereof stamped or cut thereon and the words, "Dog Tag" stamped thereon; and such tag whilst attached to a collar upon the neck of such dog, shall exempt the same from impounding for twelve months from such date, except as provided for vicious or dangerous dogs running at large unmuzzled.

Sec. 4. Any animal found trespassing upon any private enclosure in said corporate limits may be taken up by the party owning such enclosure, or by his agent, and committed to the pound-keeper, who shall hold the same subject to reasonable demands for damages, in addition to the fees prescribed in this ordinance.

Sec. 5. The pound-keeper shall keep a true and faithful record of the number and the description of all animals taken into his custody, with the date of their impounding and the date and manner of their disposal, and shall keep conspicuously posted at the entrance of the pound a list of animals detained therein. He shall provide the necessary subsistence for all animals while in his custody, and shall not alter or suffer to be altered any mark or brand thereon and shall not suffer cruel treatment thereof.

Sec. 6. All animals, except dogs, taken into the custody of the pound-keeper, if not reclaimed within twenty-four hours thereafter, may be sold by the pound-keeper at any time after giving at least three days notice of such sale.

Sec. 7. The notice shall describe the animal, and shall state the time and place of sale, and shall be posted up in three public places in the city, one of which notices shall be posted at the entrance of the pound. At the time advertised the pound-keeper shall sell all the animals so advertised at public auction to the highest bidder for cash. The proceeds of such sale, after deducting the fees and charges, shall be immediately paid by the pound-keeper to the treasurer of the city, who shall pay over said proceeds to the owner of such animal so sold upon warrant ordered by the trustees, if claimed within three months thereafter.

Sec. 8. The owner, or persons entitled to the control of any animal impounded may, at any time before the sale or other disposition thereof, redeem the same by paying the pound-keeper all fees and charges thereon, and, if a dog, by paying for tag and registration thereof in addition, if unpaid.

Sec. 9. The pound-keeper may appoint not more than two deputies or assistants, to be paid by himself, and he shall charge and collect the following fees and charges from persons redeeming animals taken up or impounded and for registering dogs and furnishing tags for same, that is to say:

For taking up and impounding any horse, bull, cow, jack, mule, steer, yearling calf or colt the sum of	\$2.00
For keeping each animal, per day50
For taking up or impounding any hog, sheep, goat or calf under one year old	1.00
For keeping any such animal per day25
For registering and tag for each dog	1.00
A commission of twenty per cent on all sales.	

Sec. 10. The pound-keeper shall be entitled, in full compensation for the faithful performance of all his duties, to receive a monthly salary of Seventy-five Dollars, and a further amount equal to all the fees and proceeds of sale of all junk and non-combustible material collected by him and paid into the City Treasury and reported by him, an itemized statement of all of which he must report monthly and pay such sums into the treasury of the city, and there shall be no charge against the City for his deputies or assistance. (Amended Ord. 429, February 9, 1905.)

Sec. 11. All animals herein specified and specified in the ordinance of which this is amendatory, required to be destroyed shall be cremated by the pound-keeper, except during such time as the city has or shall have a contract with other person or persons for the disposition thereof; and during such time he shall, when the time arrives for the destruction thereof, notify the contractor thereof and deliver same without charge to such person or persons, who shall thereupon remove the same, either dead or alive, as he may prefer, beyond the city limits for the destruction by him (if taken alive) and for such disposition as required by the terms of such contract, without expense to the city. (Amendment Ord. 429, February 9, 1905.)

Sec. 12. All persons owning or having under their control vicious or dangerous dogs, shall keep the same securely muzzled during the day, and within their enclosure during the night. And the pound-keeper and his deputies are hereby required to seize, take and carry to the public pound all such vicious and dangerous dogs and not muzzled,—also all female dogs in heat,—at any time, in any of the streets or any public or unenclosed places in the city, with or without tags.

Sec. 13. The pound-keeper shall make a true and correct report to

the Board of Trustees, at the second regular meeting of each month, under oath, of the number of animals taken by him into the public pound, and also the number redeemed and by whom redeemed.

Sec. 14. The pound-keeper shall keep all dogs taken up by him, for two days thereafter, and, if redeemed, is entitled to charge and receive one dollar for each dog, provided, that he may charge three dollars, for redemption of a vicious, dangerous or female dog in heat. If any dog be not redeemed within two days he shall destroy it; provided, that vicious and dangerous dogs may be destroyed at any time after twelve hours.

Sec. 15. The pound-keeper shall keep a correct and true account of, and pay into the treasury once in each month, all moneys received by him, over and above his salary, showing from whom received and for what received.

Sec. 16. No person shall resist, obstruct or prevent the pound-keeper, or any of his deputies or assistants, in the exercise of his duties as such. Any person who shall violate any provisions of this section shall be deemed guilty of a misdemeanor, and, on conviction thereof shall be punished by a fine of not less than five dollars, nor more than one hundred dollars, or by imprisonment in the City or County prison for not less than five days, nor more than fifty days.

Sec. 17. When any animal is taken up for impounding which, by reason of age, disease or other infirmity, is unfit for further use, or dangerous to be kept impounded, the pound-keeper shall within twenty-four hours thereafter, destroy such animal upon examination and recommendation of the City Health Officer, or any reputable Veterinary Surgeon, but no charge therefor shall be made against the City.

Sec. 18. All ordinances or parts of ordinances inconsistent with this ordinance, are hereby repealed.

Sec. 19. This ordinance shall take effect and be in force from and after its passage.

ORDINANCE NO. 411.

In effect March 3, 1902.

An Ordinance prohibiting the possession of lottery tickets, papers, stamps, tools, instruments or devices.

The Board of Trustees of the City of Fresno do ordain as follows:

Sec. 1. That it shall be unlawful for any person within the City of Fresno to have in his possession any lottery ticket, or any ticket, bill, paper, device, certificate, or instrument purporting to be or to represent a ticket, chance, share, or interest in, or depending upon the event of, a lottery; or any tool, instrument, stamp, die, cut or device used, or intended to be used in, or for contriving, setting up, preparing, printing, stamping, writing or getting ready for sale, or distribution any lottery ticket or lottery tickets, or used or intended to be used in, or for contriving, setting up, preparing, proposing or drawing up a lottery; or any tool, instrument, stamp, die, cut or device for stamping, or marking lottery scrolls, or for stamping, or marking any statement, declaration, memorandum, copy, or list of lottery tickets that have been sold, or for marking or for stamping any paper, statement, certificate, or instrument representing or purporting to be a statement, scroll, copy or list of numbers, characters or figures chosen, selected, designated, or marked as

played, or as having been played at, or in or against a lottery, or lottery drawing, or any tool, punch, instrument, die, cut or device used, or intended to be used, in or for contriving or preparing or setting up, or printing or stamping or writing or getting ready for distribution, or circulation, lottery drawings or papers, bills, hand bills, cards, writings, prints, instruments or devices setting forth or containing, or purporting to set forth or contain memoranda, statements, copies or lists of the lucky or winning numbers, characters or figures in or of a lottery or lottery drawing.

Section 2. Any person violating any of the provisions of this ordinance, or doing any act herein declared to be unlawful, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding three hundred dollars, or by imprisonment in the City or County Jail not exceeding ninety days or by both such fine and imprisonment.

Sec. 3. All ordinances and parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed. This ordinance shall take effect and be in force from and after its passage.

ORDINANCE NO. 419.

In effect June 16, 1902.

An Ordinance relating to and fixing certain municipal salaries.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. The City Engineer shall receive a salary of Two Hundred Dollars per month, payable monthly, out of the City Treasury, which shall be in full compensation for his services; he shall also be allowed such deputies, to be selected by himself and allowed by the Board of Trustees, as shall be necessary to properly conduct the business of his office, and in addition thereto, such draughtsmen, to be selected by himself and allowed by the Board of Trustees, as shall be necessary to properly conduct the business of his office, and all necessary assistance in the field, such as chainmen, rodmen, etc., and such inspectors, appointed by authority of the Engineer and allowed by the Board of Trustees, as shall be necessary to properly conduct the business of his office; and while so employed, such deputies shall receive the sum of One Hundred Twenty-five Dollars per month each; such draughtsmen, doing office work exclusively, the sum of One Hundred Dollars per month each; such inspectors, the sum of Four Dollars per day each; and such other assistants, such as chainmen, rodmen, etc., the sum of Three Dollars per day each. All of such compensation payable monthly out of the City Treasury.

The City Engineer shall, in addition to his monthly salary be allowed, upon bills presented as other claims against the City are presented, all claims for necessary transportation, stakes, office supplies, etc., in work pertaining to his office, or upon work done by him for the City by virtue of his office.

All fees collected by the Engineer, or through his office, shall be paid monthly into the City Treasury and belong to said City. (As amended by Ordinance No. 506.)

Sec. 2. The Health Officer of said City shall receive a salary of one hundred dollars (\$100) per month, payable monthly out of the City Treasury, which shall be in full compensation for his services, and all fees collected by him shall be paid into the City Treasury and shall belong to the said City.

Sec. 3. All ordinances and parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed. This ordinance shall take effect and be in force from and after its passage.

ORDINANCE NO. 427.

In effect January 19, 1903.

An Ordinance relating to the subject of gaming or gambling on contests between persons or animals, commonly known as "pool selling" or dealing in pools.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. It shall be unlawful for any person or association of persons within the City of Fresno, to sell, or offer for sale, or to have in his or their possession for any purpose herein declared unlawful, or to buy, issue or in any manner dispose of (except for purpose of evidence for prosecution under this ordinance, and to destroy) or to purchase or acquire any pool ticket, certificate, writing or other evidence of payment, acceptance or deposit of money or other thing of value, or any interest in any pool or other thing herein mentioned, staked or bet upon the result of any contest of speed or other contest between persons or animals.

Sec. 2. No person shall within said City of Fresno make any bet or lay any wager on such a contest as mentioned in Section one hereof, or act as stakeholder of any bets or wagers laid thereon, or receive or pay over any money or article or thing of value, or any evidence thereof, the possession, ownership or value of which has been, is, or is to be determined by any such contest, or is, or is to be in any way dependent upon the result thereof, whether such contest has been, is or is to be within said City or elsewhere.

Sec. 3. No person shall lease, rent or use any building, structure, room, apartment, place or premises whatever within the City of Fresno, or permit the same to be used or occupied for any of the purposes mentioned in, prohibited or declared unlawful by this ordinance.

Sec. 4. Any person violating any of the provisions of this ordinance, or doing any act herein, declared to be unlawful, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding Three Hundred Dollars, or by imprisonment in the City or County Jail not exceeding ninety (90) days, or by both such fine and imprisonment.

Sec. 5. All ordinances and parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed. This ordinance shall take effect and be in force from and after its passage.

ORDINANCE No. 428.

In effect January 19, 1903.

An Ordinance relating to the subject of certain kinds of gambling in certain classes of places.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. The games of "seven up," "poker," "draw poker," "three card monte" and all other games and devices played for money or other thing of value, or for checks, credit or other representative of value,—

not already prohibited or made unlawful by any law of the State of California or former ordinance of the City of Fresno,—are hereby prohibited in all stores, shops, outhouses, saloons or other place of business, or in any room or place adjacent to or connected with any place of business of any sort, and in all public places within the City of Fresno.

Sec. 2. Every person who deals, plays or carries on, opens or causes to be opened, or who conducts, either as owner, hirer or employe, or aids or abets any of these things, or who bets at, on or against any game or device, for money, check, credit or other thing or representative of value, of the chance of winning or getting any money or check or other thing or value, in or about any of the places mentioned or described in Section one hereof, and at, in or upon any of the games or devices therein mentioned or referred to, shall be punished, upon conviction thereof, by a fine of not exceeding three hundred dollars, or by imprisonment in the City or County Jail not exceeding ninety days, or by both such fine and imprisonment.

Sec. 3. Every person who knowingly permits any of the games or devices prohibited in Section one hereof, in any place therein mentioned, owned or rented or controlled by him in whole or in part, is punishable as provided in Section two of this ordinance.

Sec. 4. Any person violating any of the provisions of this ordinance, or doing any act herein declared to be unlawful, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding Three Hundred Dollars, or by imprisonment in the City or County Jail not exceeding ninety days, or by both such fine and imprisonment.

Section 5. All ordinances and parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed. This ordinance shall take effect and be in force from and after its passage.

ORDINANCE NO. 433.

In effect Feb. 27, 1903.

An Ordinance requiring persons, firms, companies and corporations owning or controlling systems of water works for, and furnishing water to the City of Fresno and its inhabitants for domestic or Irrigation purposes, to extend and lay their water mains and pipes when requested by the Board of Trustees of said City, and providing punishment for a violation thereof.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. It shall be, and is hereby declared to be the duty of every person, firm, company or corporation owning or controlling a system of water works therefor, and furnishing water for domestic or irrigation purposes to said City and the inhabitants thereof, to extend and lay his or its water mains and pipes through any public avenue, street or alley when required to do so by a resolution of the Board of Trustees of said City, and it shall be, and is hereby declared unlawful for any person, firm, company or corporation to fail, neglect or refuse to extend such mains and pipes within thirty (30) days after service of a certified copy of such resolution, or to be given in good faith the work of such extension within said period and dillgently prosecute the work of such extension to completion, as required by such resolution, and such failure, neglect or refusal shall be, and is hereby declared to constitute a misdemeanor.

Sec. 2. The Board of Trustees may upon the petition of any five property owners or residents open any public street, alley or avenue within said City, adopt a resolution requiring such person, firm, company or corporation to extend and lay its water mains or pipes through such public street, avenue or alley; or said Board may adopt such resolution without any petition therefor.

Sec. 3. Any person violating any of the provisions of this ordinance, or doing any act herein declared to be unlawful, is guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding Three Hundred Dollars, or by imprisonment in the City or County jail not exceeding ninety days or by both such fine and imprisonment.

Section 4. All ordinances and parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed. This ordinance shall take effect and be in force from and after its passage.

ORDINANCE NO. 434.

In effect April 20, 1903.

An Ordinance providing a uniform system for numbering and designating spaces and houses within the City of Fresno.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. All space and house numbering in this City shall hereafter be made to conform to the provisions of this ordinance, and be under the supervision and direction of the Superintendent of Streets.

Sec. 2. The term "tier" or "block tier," as used in this ordinance, means all blocks between two parallel and adjacent streets, in any direction, all blocks in said tier having the same number, for example (all blocks between Mariposa and Tulare Streets shall be of the tier number "1000," and transversely, all blocks, between J and K Streets shall have the tier number "2000.")

Sec. 3. Except as otherwise provided in this ordinance, each unit of house number shall represent a frontage or space of 12½ feet, and each unit of block tier number shall be "100," increasing in successive tiers by 100 for each successive tier, as 100, 200, 300 and so on.

Sec. 4. The tiers running parallel with each other shall control the base number to which all space numbers on included transverse streets shall be added, beginning by adding one (1) to the tier number and increasing in the direction of increase in tier numbers.

Sec. 5. The tiers running parallel to the Southern Pacific Railroad shall begin with map blocks 37, 39, 58 in southwest corner of the city, which blocks constitute "0," or less than "100," and thence increasing in a northeasterly direction, to the city limits on the east, and south of a line east and west on south line of Tulare Avenue and Silvia Street from the eastern to the western limits of the city, "Woodward's Addition" being excepted herefrom, as also that part of the city north of Merced Street and west of A and Trinity Streets.

Sec. 6. The tiers running transversely to those described in Section 5 shall begin at the blocks next south of San Diego Street, with "0," or less than "100," the next tier being numbered "100," composed of all blocks between San Diego and Los Angeles Streets, and thence increased in successive tiers as before, in a northwesterly direction to the northern, east and west line described in Section 5 hereof.

Sec. 7. In numbering spaces and houses, the numbers shall increase in the direction of increase tiers, and proceeding along a street in this direction, the odd numbers shall be on the left, beginning with "1," added to the tier number, and the even numbers shall be on the right, added in like manner; for example, the first space of 12½ feet on the left on J Street, from the corner of J and Mariposa Street, going northwesterly on J Street, shall be numbered "1101," and the like space on the right "1102," and so on to Fresno Street.

Sec. 8. The north tier of blocks in Woodward's Addition shall be numbered "100," the next tier south "200," the next "300"; transversely the west tier of blocks therein shall be numbered "100," and so on successively, the east tier being "500," the same rules for space and house numbering applying.

Sec. 9. In that part of the city north of Merced and west of A and Trinity Streets, the numbering shall be as follows: Beginning at the west limits, the first tier of blocks north and south shall be "0" or less than "100," and increase eastwardly to Trinity and A Streets, and the transverse tiers shall begin with the tier next south of and parallel with Silvia Street, and thence increase by the same rule with all successive tiers going south.

Sec. 10. The numbering in Central Addition shall begin at West Avenue, Blocks 1 and 14 shall be tier "100," and thence east with corresponding tiers increasing by 100 with each tier, to Blocks 7 and 8, which shall be tier "700"; and transversely, beginning with the extension of M Street north, the tier number "1700" shall obtain; and thence increasing westward, in the north extension of L, K, J, I and H Streets, shall retain their tier numbers across Central Addition.

Sec. 11. All other numbers, north of said Silvia Street and Tulare Avenue, south line, to east and west extremities of the city limits, shall be governed by the same rules, applied to the tier numbers as follows:

Beginning on Lincoln Avenue, the first tier of blocks east thereof shall bear the tier number "300," increasing eastward to 3000, which shall be the tier number of the east tier of blocks in Orchard Hill Addition, and transversely, the tier numbers on streets running north and south shall begin on the south side of said territory with 100 and increase by 1000 to the block northward to Belmont Avenue, except that the north and south extension of Fresno Street shall continue the numbers of original street, beginning with 3000 and increasing north to Belmont Avenue.

Sec. 12. All owners or persons in charge of buildings shall cause the proper numbers to be so placed upon the same, or on some conspicuous place visible from the street in front thereof in figures large enough to be read from the street, in conformity to the numbers required by this ordinance, and upon failure to do so when required by the Superintendent of Streets (who shall inform such person of the proper number when requested) such person shall be guilty of a misdemeanor.

Sec. 13. No person shall willfully remove or destroy or mutilate any correct number placed as required by this ordinance without immediately replacing it with another such number, and any person violating this section shall be guilty of a misdemeanor.

Sec. 14. Any person violating any of the provisions of this ordinance, or doing any act herein declared to be unlawful is guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding ten dollars, or by imprisonment in the City or County jail not exceeding five days, or by both such fine and imprisonment.

Sec. 15. All ordinances and parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed. This ordinance shall take effect and be in force from and after its passage.

ORDINANCE NO. 435.

In effect April 20, 1903.

An Ordinance concerning obstruction of public streets and alleys within the City of Fresno, declaring certain obstructions to be nuisances, requiring an abatement thereof, and regulating the use of bicycle racks.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. The placing, erection and maintenance of signs, sign boards, advertisements, bulletin boards, advertisements, bulletin boards and devices of a like character, along, over and upon the public sidewalks, streets, alleys and places within the City of Fresno, has become, and is hereby declared to be a nuisance, and the Superintendent of Streets is hereby directed to abate same.

Sec. 2. It shall be, and is hereby declared unlawful for any person, firm or corporation to extend, suspend, erect, place or maintain, or cause or permit to be extended, suspended, erected, placed or maintained, any sign board, sign post, advertisement, or sign, or post, or similar device, over, in, along or upon any public street, sidewalk, alley or place, or any wall, fence or structure immediately fronting thereon, within the City of Fresno; provided, however, that the provisions of this ordinance shall not apply to any sign or sign board which is permanently fastened against the surface of any building and does not project more than six inches from the surface of said building, or to any sign board which conforms and is permanently fastened to the exterior surface of any bay window and does not project more than three inches from the surface thereof, or any sign which is so constructed as to be part and parcel of any wood or iron porch or awning which is a part of and permanently attached to any building; but this shall not be construed as applying to any sign board which is independently annexed to or placed upon any such porch or awning, and provided further, that the signs herein permitted shall be used solely to advertise the business, occupation, profession or calling of the person, firm or corporation doing business within the building to which it is fastened, or to which the porch or awning is attached upon which the sign is fastened.

Sec. 3. It shall be, and is hereby declared unlawful for any person, firm or corporation to place, keep or maintain any bicycle rack upon any sidewalk in said city which is more than thirty-six inches high, or more than thirty-six inches wide, at any other place on said sidewalk except the outer side thereof flush with the curb, or to maintain or keep on any sidewalk in said city any bicycle rack upon which any name, sign, advertisement or notice is painted, written or marked, or to which is fastened or attached any sign, advertisement, name, sign board, sign post, or advertising device whatever.

Sec. 4. The Mayor may, however, grant permission for stretching banners across the streets of said city for temporary purposes.

Sec. 5. Any person violating any of the provisions of this ordinance, or doing any act herein declared to be unlawful, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding Three Hundred Dollars, or by imprisonment in the City or County Jail not exceeding ninety days or by both such fine and imprisonment.

Sec. 6. All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

ORDINANCE NO. 436.

In effect May 6, 1903.

An Ordinance to prevent certain detrimental uses of public ways in the City of Fresno.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. It shall be and is hereby declared unlawful for any person to place hereafter or cause to be placed any obstruction, or allow any obstruction so placed to remain upon any public sidewalk or alley within the limits of said city so as thereby to occupy any part of the sidewalk within the curb line or any part of the alley, or obstruct the free passage of persons over any part of any such alley or sidewalk; provided, however, the foregoing provisions of this ordinance shall not apply to the provisions of the amendment to the building ordinance (being Ordinance No. 399 of said City), nor to the provisions of the pending Bill No. 50 (Ordinance No. 435), relating to signs and bicycle racks, nor to permitted telegraph, telephone, electric light and railway poles, awning or hitching posts, nor to goods in actual course of delivery, receipt or removal, with reasonable dispatch, for a time not longer than two (2) hours, nor to permanent existing cellar or basement ways and barriers surrounding them constructed under permit granted before the passage of this ordinance, and excepting shade trees.

Sec. 2. It shall be and is hereby declared unlawful for any person to herd, drive, tie, stake out or otherwise allow or cause any cow, bull, steer, goat or sheep belonging to him or under his control or care, to be in or upon any of the public streets, alleys or sidewalks, or so tied anywhere as to be able to go upon any sidewalk, street or alley of the City of Fresno, except for the purpose of conducting such animal from place to place in good faith and with reasonable speed; and no person shall drive or cause to come in, along or upon any street, lane, alley or other public way in said city any band of sheep for grazing or herding within the city limits, or otherwise, except in continued transit through the city.

Sec. 3. Any person violating any of the provisions of this ordinance, or doing any act herein declared to be unlawful, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding thirty dollars (\$30), or by imprisonment in the City or County jail not exceeding fifteen (15) days, or by both such fine and imprisonment. (See Section 21, Ord. No. 221.)

Sec. 4. All ordinances and parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed. This ordinance shall take effect and be in force from and after its passage.

ORDINANCE NO. 437.

In effect May 19, 1903.

An Ordinance on the subject of incandescent and electric light signs; allowing the use of and regulating the character and use of same and repealing all parts of other ordinances in conflict with this ordinance.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. No person, company or corporation shall hereafter place or maintain upon, or attach to, any building or premises any incandescent and electric sign, advertisement, transparency or bulletin board which shall project over or upon the sidewalk, except such as are embraced within the following classes:

Class 1. Incandescent and electric light signs and transparencies fastened for their whole length parallel to the front of the building, and not projecting therefrom over the sidewalk more than twelve (12) inches when placed eight (8) feet or more above the sidewalk.

For the purpose of this ordinance, the term "front of building" shall be construed to mean the general outer surface of the main wall of the building facing the street, except in the case of bay windows or pillars projecting beyond the main wall of the building, the outer surface of such windows or pillars shall be considered the face of the building at those points.

Class 2. Incandescent electric light signs not exceeding six (6) feet in vertical dimension, fastened to a metal frame and extending over the sidewalk, provided no part of such sign shall be less than ten (10) feet above the sidewalk, nor project beyond the outer edge of the sidewalk; and further provided that such sign and metal frame shall be attached to the building by means of suitable hinges or sockets in such a manner as will permit said signs to be swung back parallel to and against the building and not project more than eighteen (18) inches from the face of the buildings or pillars against which said signs will be placed when swung back.

Provided, further, that said incandescent electric light signs shall not be extended over or across the sidewalk except between the hours of 5 P. M. and 8 A. M., and shall be continuously illuminated every night from sunset to midnight when so extended. No incandescent electric light sign of the above description shall be attached to any building until a design of the sign and method of fastening to the building has been submitted to and approved by the Board of Trustees and a written permit received from said Board authorizing its erection.

Class 3. Vertical incandescent electric light signs consisting of a vertical row of letters, illuminated with incandescent electric lights, and letters to be of not less than twelve (12) inches in height and to be attached to an open metal grill work frame of a design approved by the Board of Trustees. Said sign to be attached to buildings only above the first story, and never less than twelve (12) feet above the sidewalk, parallel to said building, and not projecting over the sidewalk more than four (4) feet from the property line of said building. Provided, said signs are fastened to the building in a manner satisfactory to the Board of Trustees and kept continuously illuminated every night from sunset to midnight.

No vertical incandescent light sign of the above description shall be attached to any building until a design of the sign and method of fastening has been submitted to and approved by the Board of Trustees and a written permit received from said Board authorizing its erection.

Sec. 2. Any person violating any of the provisions of this ordinance, or doing any act herein declared to be unlawful, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding Three Hundred (300) Dollars, or by imprisonment in the City or County Jail not exceeding ninety (90) days, or by both such fine and imprisonment.

Sec. 3. All ordinances and parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed. This ordinance shall take effect and be in force from and after its passage.

ORDINANCE NO. 438.

In effect June 1, 1903.

An Ordinance requiring motormen and engineers on electric street cars within the limits of the City of Fresno to sound the alarm bells or gongs of the cars or engines before crossing streets, and fixing a penalty for violation thereof.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. It is hereby declared unlawful for any motorman or engineer having charge or control of an electric car, motor or engine of a street car to allow such car to be propelled across any street within the City of Fresno without first having sounded the car's alarm bell or gong before starting across; and if such car does not stop before and at the crossing, it shall be unlawful to allow such car to approach such crossing without sounding such alarm repeatedly from a point at least fifty (50) feet from the street crossing, and between such point and the street to be crossed.

Sec. 2. Any person violating any of the provisions of this ordinance, or doing any act herein declared to be unlawful, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding Three Hundred Dollars, or by imprisonment in the City or County Jail not exceeding ninety days, or by both such fine and imprisonment.

Sec. 3. All ordinances and parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed. This ordinance shall take effect and be in force from and after its passage.

ORDINANCE NO. 445.

In effect October 5, 1903.

Prescribing general rules and standard specifications for street, avenue, alley, place and sidewalk work and work on sewers in the City of Fresno, where the expense thereof is a charge upon or to be assessed against private property.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. All work of grading, curbing, guttering, culverting, sewer-ing, paving or otherwise improving the roadway or sidewalk of any street, avenue, alley, lane, place or court, and all sidewalk work to be done in the City of Fresno, the expense of which or any portion thereof is a charge against private property, or is to be assessed upon private property under the provisions of an Act of the Legislature of the State of California, approved March 18, 1885, entitled, "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks in and for the construction of sewers within municipalities," commonly known as the "Vrooman Act," and all acts amendatory and supplementary thereof, shall be done in accordance with standard specifications as herein prescribed.

Sec. 2. Artificial stone sidewalks built within the City of Fresno shall be built according to the following specifications, to-wit:

For convenience in description the City of Fresno is divided into two sections:

1st. That portion included at all times in the fire limits of said City shall be known as Division One.

2nd. All other portions of said City of Fresno shall be known as the residence portion, or Division Two.

All artificial stone sidewalks in Division One, or the fire limits, shall be built the full width of the public sidewalk in front of all buildings, but where there is no building and the lot vacant, the width of the walk may be eleven (11) feet constructed from curb line.

All artificial stone sidewalks in Division Two, or the residence portion of the City, (except as hereinafter specified) shall be: On sidewalks fourteen (14) feet wide, built six (6) feet wide, three (3) feet from property line, and five (5) feet from curb line; on sidewalks twelve (12) feet wide, built five (5) feet wide, two (2) feet from property line, and five (5) feet from curb line; and on sidewalks ten (10) feet wide or less, the artificial stone sidewalks shall be built four (4) feet wide, and two (2) feet from the property line.

Provided, however, that the artificial stone sidewalks built or constructed on the southwesterly side of A Street from Stanislaus Street to Mariposa Street, on each side of Stanislaus Street from Trinity Street to A Street, on each side of Tuolumne Street from Trinity Street to A Street, on each side of Oleander Avenue from Trinity Street to A Street, on each side of Mayor Avenue from Kearney Avenue to Mariposa Street, on each side of Collins Avenue from Merced Street to Mono Street, on each side of Pottle Avenue from Merced Street to Mono Street, on each side of Stephens Avenue from Merced Street to California Avenue, on each side of Klette Avenue from Merced Street to California Avenue, on each side of Jones Avenue from Merced Street to California Avenue, on each side of Modoc Street from Merced Street to California Avenue, on each side of Martin Avenue from Merced Street to California Avenue, on each side of Cobb Avenue from Merced Street to California Avenue, on each side of Merced Street from A Street to Tehama Street, on each side of Fresno Street from A Street to California Avenue, on each side of Mariposa Street from A Street to California Avenue, on each side of Tulare Street from Collins Avenue to California Avenue, on each side of Kern Street from Collins Avenue to California Avenue, on each side of Inyo Street from Collins Avenue to California Avenue, on the northwesterly side of Mono Street from Collins Avenue to California Avenue, in the City of Fresno, shall be six (6) feet wide, the outer edge or line of such sidewalks shall be eight (8) feet from the curb line, and the inner edge or line of such sidewalks shall coincide with the property line.

Provided, further, that the artificial stone sidewalks built or constructed on the easterly side of Tehama Street from Kearney Avenue to California Avenue, on each side of Plumas Street from Kearney Avenue to Merced Street, on each side of Modoc Street from Kearney Avenue to Merced Street, on each side of Trinity Street from Kearney Avenue to Merced Street, on the easterly side of Trinity Street from Kearney Avenue to Stanislaus Street, on each side of Stephens Avenue from Merced Street to Calaveras Street, on each side of Pickford Avenue from Merced Street to Stanislaus Street, on each side of Snow Avenue from Merced Street to A Street, on each side of Hawes Avenue from Tehama Street to Merced Street, on each side of Strother Avenue from Tehama Street to Merced Street, on each side of Eden Avenue from Tehama Street to Merced Street, and on each side of Myers Avenue from Tehama Street to Merced Street, in the City of Fresno, shall be five (5) feet wide, and the outer edge or line of such sidewalks shall be seven (7) feet from the curb line and the inner edge or line of such sidewalks shall coincide with the property line.

Provided, further, that the artificial stone sidewalks built or constructed on each side of Forthcamp Avenue from Belmont Avenue to Olive Avenue, in the City of Fresno, shall be five (5) feet wide, and the outer edge or line of such sidewalks shall coincide with the outer edge of the curb line, and the inner edge or line of such sidewalks shall be three (3) feet from the property line.

The concrete foundation in Division One shall be four (4) inches thick; in Division Two three (3) inches thick; and shall be composed of four parts, by measure, of clean gravel, not larger than will pass through a two and one-half (2½) inch ring, two parts, by measure, of clean, sharp sand, free from loam, and one part, by measure, of cement; or if broken rock is used instead of gravel, the proportions may be five parts broken rock, not larger than will pass through a two and one-half (2½) inch ring, three parts of clean, sharp sand, and one part cement, all to be mixed according to directions and under the supervision of the Superintendent of Streets.

On sidewalks built or constructed in Division One the top coat shall be three-fourths (¾) inch thick; and in Division Two the top coat shall be one-half (½) inch thick. The top coat shall be composed of three parts, by measure, of clean, sharp gravel sand, free from loam, and two parts, by measure, of cement, and shall be mixed with the best grade of lamp black, not to exceed one-fourth (¼) pound of lamp black to one barrel of cement. The top coat shall be troweled smooth and even and blocked into squares. Where the sidewalk is six (6) feet wide the squares shall be two and one-half (2½) feet in size, and there shall be a six inch border on each side of the walk. Where the sidewalk is five (5) feet wide the squares shall be two (2) feet in size, and there shall be a 6 inch border on each side of the walk. Where the sidewalk is four (4) feet wide the squares shall be two (2) feet in size.

All cement used shall be of such quality as to meet the requirements of the specifications adopted by the American Society for testing materials.

Wherever the stone walk does not cover the whole space between the curb and the property line, the space not covered shall be graded and leveled so that the surface will form one continuous plane from property line to curb, even with the stone walk.

The contractor shall be required to correct any imperfect work whenever discovered before the final acceptance of the work.

The contractor shall remove all surplus material and rubbish from the work after its completion and before he makes application for the acceptance of the work.

All work done and materials furnished shall be done and furnished under the supervision and to the satisfaction of the Superintendent of Streets. (As amended by Ordinance 623.)

Sec. 3. Repealed by Ordinance 635.

Sec. 4. Repealed by Ordinance 635.

Sec. 5. Repealed by Ordinance 634.

Sec. 6. Repealed by Ordinance 634.

Sec. 7. Repealed by Ordinance 634.

Sec. 8. Repealed by Ordinance 634.

Section 9 to 26 repealed by Ordinance 616.

Sec. 27. Whenever any work or improvement is to be done upon the streets, avenues and alleys, lanes, courts or places in said City, or the sidewalks thereof, and no special specifications therefor have been adopted, said work or improvement shall be done in accordance with the specifications in this ordinance set forth, but nothing herein shall be construed to prevent the adoption of special specifications for any particular work or improvement, it being the intention of this ordinance to adopt standard specifications for work where no special specifications have been adopted.

Sec. 28. All ordinances and parts of ordinances in conflict with the provision of this ordinance are hereby repealed; this ordinance shall take effect immediately after its passage.

ORDINANCE NO. 455.

In effect June 8, 1904.

An Ordinance forbidding the licensing of boxing and sparring matches, and exhibitions where boxing gloves are used, and exhibiting all such matches and exhibitions.

The Board of Trustees of the City of Fresno do ordain as follows:

Sec. 1. Hereafter no license shall be issued for conducting, managing or giving any boxing or sparring match, nor exhibition where boxing gloves are used, and all such matches and exhibitions are hereby prohibited within the City of Fresno, in the County of Fresno, State of California.

ORDINANCE NO. 461.

In effect November 7, 1904.

An Ordinance prohibiting the throwing of certain substances upon persons and into public streets, alleys and places within the City of Fresno.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. It shall be and is hereby declared unlawful for any person in the City of Fresno to throw upon any public street, alley, place or sidewalk of said City, or upon any person, any flour, lime, bran, plaster, chalk, cut up paper, paper ribbons, or any substances commonly known as and called confetti, or any other similar substance.

Sec. 2. Any person violating any of the provisions of this ordinance, or doing any act herein declared to be unlawful is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding Three Hundred Dollars, or by imprisonment in the City or County jail not exceeding ninety days, or by both such fine and imprisonment.

Sec. 3. All ordinances and parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed. This ordinance shall take effect and be in force from and after its passage.

ORDINANCE NO. 481.

In effect Mar. 13, 1905.

An ordinance fixing the amount of the official bond of the License Collector of the City of Fresno.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. The amount of the official bond of the License Collector of the City of Fresno shall be and is hereby fixed at the sum of Twenty Thousand Dollars (\$20,000).

Sec. 2. This ordinance shall take effect and be in force from and after its passage and approval.

ORDINANCE NO. 483.

In effect April 3, 1905.

An Ordinance of the City of Fresno establishing the office of City Electrician and his compensation, fixing his duties, providing regulations for installation of electrical wires, apparatus and equipment in said city and fees for inspection.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. The office of City Electrician is hereby established. The City Electrician shall be a competent electrician, a resident and qualified elector of said city and shall be appointed by the Mayor with the advice and consent of the Board of Trustees of said city. The compensation of the City Electrician shall be the sum of Twelve Hundred Dollars per year, payable in monthly installments of One Hundred Dollars each. The City Electrician shall hold office during the pleasure of the Mayor and until his successor is appointed and qualified. He shall execute an official bond to the City of Fresno in the penal sum of \$2000.00.

Sec. 2. The City Electrician shall have supervision of the putting in and installation of all electrical wiring, connections, appliances and apparatus in or about any building in the City of Fresno. It shall also be his duty to inspect all overhead and underground wires, whether telephone, telegraph, railway, power or lighting wires, and to report any unsafe conditions to the Board of Trustees. It shall also be his duty to inspect, repair and keep in repair the fire alarm system of said city and to do and perform such other duties as may now or hereafter be required of him by the Charter and ordinances of said city.

Sec. 3. No person, firm or corporation shall supply electric current to, equip with wiring, fixtures or apparatus, or make any alterations of, changes in or additions to, any electrical wiring or apparatus in any building, without first notifying the City Electrician in writing and receiving from him a written permit to do the work. Such permit shall state the kind of work to be done and shall cover only the kind of work so designated. Said permit shall also state the location by street and number of the building where said work is to be done, and shall be valid only for the location so stated. When an equipment is found to conform to the rules and regulations adopted herein, the City Electrician shall issue a certificate that the terms of this ordinance have been complied with, but no such certificate shall be granted until the equipment is made and conforms to the rules prescribed herein, and it shall be unlawful to use any such currents for the same until such certificate has been furnished in accordance with the terms of this ordinance; provided, however, the City Electrician may, before such certificate is issued, grant a temporary permit to furnish and use electric current through any wiring, apparatus or fixtures for a period not exceeding ten days, if in his judgment such wiring, apparatus or fixtures are in such condition that current may be safely used therein and there exists an urgent necessity for such use.

Sec. 4. All electrical construction, all material and all appliances used in connection with electrical work, and the operation of all electrical apparatus in buildings in the City of Fresno, shall be in conformity with the rules and regulations set forth in what is known as the "National Electrical Code" as amended and published in 1903, being rules and requirements for the installation of electrical wiring and apparatus for electric light, heat and power as the same are now established, and the said rules and regulations, together with any amendments and changes made therein from time to time, are hereby adopted and approved as the rules and regulations of the department of electricity.

Sec. 5. It shall be the duty of the City Electrician to inspect all electrical equipment in said City from time to time, and if any part of any electrical equipment in or about any building in said city shall be found to be dangerous to life or property the City Electrician shall have the right and power, and it shall be his duty, to notify the owner of the building or equipment to cease using electric current in such dangerous equipment and to have the defects in such equipment repaired within a reasonable time, not exceeding ten days from date of notice. The City Electrician is also authorized to give written notice to the company furnishing the electric current to any such dangerous equipment to cease to supply same until the defects are repaired. In a prosecution for a violation of the provisions of this section, each day's neglect to comply therewith shall be considered and taken as a separate violation.

Sec. 6. The placing, installing or operating of electrical wires, appliances, apparatus or construction in or on buildings in the City of Fresno shall be executed in accordance with plans and specifications previously approved in writing by the City Electrician; provided, however, that a copy of said plans and specifications shall be placed on file in the office of said City Electrician.

Sec. 7. When upon application inspection is made of the wiring or equipment in or about any building in said city, the person, firm or corporation installing such equipment shall, before certificate is issued, pay to the City Electrician for such inspection the following fees, to-wit:

For each permit for installation or connections	\$.25
(Minimum inspection 10 outlets or less where current is used or controlled)	1.00
Over 10 outlets and including 40 (each additional outlet)05
Over 40 outlets (each additional outlet)25
For each arc lamp and switch25
Alterations per outlet (4 outlets and under) each25
Alterations over 4 outlets—fees as for new work. Fixture inspection fees are one-half the fees charged for wiring inspection.	
For each service connection50
For installation of motors, generators or station transformers.	
For each motor of not less than $\frac{1}{4}$ horsepower, nor more than 1 horsepower50
For each motor of more than one horsepower and not more than 3 horsepower	1.00
For each motor of more than 3 horsepower and not more than 8 horsepower	1.50
For each motor of more than 8 horsepower and not more than 15 horsepower	2.00
For each motor of more than 15 horsepower and not more than 50 horsepower	2.50
For each motor of more than 50 horsepower	5.00
For each generator or station transformer of not more than 5 kilowatts capacity	1.50
For each generator or station transformer of more than 5 kilowatts and not more than 15 kilowatts	2.50
For each generator or station transformer of more than 15 kilowatts capacity	3.50
For each motor generator set of not more than 3.75 kilowatts capacity	2.25
For each motor generator set of more than 3.75 kilowatts capacity..	5.00

Each electric motor of $\frac{1}{4}$ horsepower and over, and each electric generator, station transformer or motor generator set of over 1.87 kilowatts capacity, shall be inspected at least once a year, for which inspection

the fee shall be one-half ($\frac{1}{2}$) that charged for installation, the minimum fee being fifty (50) cents. For inspection of electrical apparatus for which no fee is herein prescribed, or for any inspection service rendered, the City Electrician shall charge a fee of seventy-five (75) cents per hour for the time actually consumed in making the inspection; all such fees shall be by said City Electrician paid into the city treasury at least once each week, and shall be by the City Treasurer placed in the general fund.

In cases where a building permit is necessary, the electrical permit will not be issued until after the building permit has been issued.

All plumbing and other piping or tube work must be in place on work to be concealed before the electric wiring is inspected and no such wiring will be considered as completed until such piping is in place. Upon making an inspection of any electrical equipment, the inspector shall leave a notice at the service switch or other suitable place stating that the electrical work has been inspected by the department of electricity; and it shall be unlawful to lath, seal or in any manner conceal any electrical wiring or other work until the same has been inspected as herein required.

Section 8. Any person, firm or corporation who shall do, or attempt to do, electrical installation, fixture or service connection work, whether original work or alterations, without giving notice in writing to the City Electrician, and without first obtaining a permit to do such work, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine in the sum of not less than Twenty Dollars (\$20.00) nor more than One Hundred Dollars (\$100) or by imprisonment in the City or County jail for a period not exceeding fifty (50) days, or by both such fine and imprisonment, for each offense; and any person, firm or corporation who shall violate any of the provisions of this ordinance, for which a penalty is not herein otherwise provided, and any occupant or owner of premises where electric wiring or apparatus is used, or to be used, who shall prevent or interfere with the City Electrician in the discharge of his duties under this ordinance, he or they shall be deemed guilty of a misdemeanor and upon conviction shall be punishable by a fine of not less than Five Dollars (\$5) nor more than One Hundred Dollars (\$100), or by imprisonment in the City or County jail for a period not exceeding fifty (50) days, or by both such fine and imprisonment.

Sec. 9. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

ORDINANCE NO. 484.

In effect June 21, 1905.

An Ordinance of the City of Fresno to prevent the unauthorized entry into and upon buildings and property for the purpose of doing and performing telephone, telegraph, electric light, electric power, and all other kind of electrical wiring, connection, appliances and apparatus.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. It shall be unlawful for any person or persons or the employes, assistants, agents, or apprentices of such person or persons, or the employes, assistants, agents, or apprentices of any firm, association or corporation to enter into, upon, in, under or over any building within the City of Fresno for any purpose whatever with pole-spurs or pole-climbers, or any other sharp pointed device worn upon the feet for the purpose of climbing.

Sec. 2. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than three hundred dollars (\$300.00), or by imprisonment in the county jail not more than ninety (90) days, or by both such fine and imprisonment.

Sec. 3. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Sec. 4. This ordinance shall be in force and effect from and after the date of its passage.

ORDINANCE NO. 495.

In effect Oct. 9, 1905.

An Ordinance concerning the Board of Health of the City of Fresno, and making provisions for the enforcement of certain rules and regulations of said Board pertaining to the public health and sanitation of said City, and providing for punishment for violation thereof.

Whereas, the Board of Health of the City of Fresno has duly made and adopted certain health and police regulations relating to the public health and sanitation of said City, and has submitted the same to the Board of Trustees of said City, requesting that provisions be made for their enforcement in accordance with Section 164 of Article X of the City Charter:

Now, therefore, in accordance with said Charter, and said rules and regulations so submitted, the Board of Trustees of the City of Fresno do ordain as follows:

Organization of the Board.

Section 1. The Board of Health shall organize on the third Monday of April of each year by the election of a President, who shall hold office for one year, and a City Physician, who shall act as Health Officer and Secretary of the Board, and the election of such other health inspector or inspectors as may be found necessary, who shall hold office at the pleasure of the Board.

All officers shall hold such offices to which they are so appointed until their successors are elected and have qualified.

Time of Election.

Sec. 2. If, for any cause, no election is held at the appointed time, the officers may be elected at a subsequent meeting.

Meetings.

Sec. 3. The regular meeting of the Board shall be held on the second Monday of each month at 8 o'clock P. M., or at such other times as the Board of Health shall from time to time fix, and said Board of Health shall hold special meetings when convened by the President, or at the call of any three members. Three members of said Board shall be necessary to constitute a quorum.

Order of Business.

Sec. 4. At all regular meetings the following Order of Business shall be observed:

1. Calling to order.
2. Reading, correction and approval of minutes of last meeting.

3. Reports of committees.
 - (a) Health Officer.
 - (b) Plumbing Inspector.
 - (c) Bacteriologist.
 - (d) Other inspectors or employes of the Board.
4. Unfinished business.
5. New business.
6. Adjournment.

Duties of Officers.

Sec. 5. The President shall preside at all meetings, call special meetings when deemed necessary, and shall have general charge of the health matters of the City. In the absence of the President, a chairman for the meeting shall be chosen. The President shall, when occasion requires, take action in emergencies without waiting to consult the Board, and shall report his actions at the next meeting of the Board. All claims for payment of employes and others shall be approved by him and attested by the secretary. He shall also sign all permits for the transportation of dead bodies from the City to points outside of the County of Fresno, whether the same are to be transported by rail or otherwise, when such person shall not have died of any infectious or contagious disease.

Duties of Secretary.

Sec. 6. The Secretary shall keep minutes of all proceedings of the Board, and shall have charge of its records. He shall keep copies of all letters and agreements made or written by the Board, and of such other documents as the Board may direct. He shall also keep a record of all births and deaths occurring in the city. He shall also keep on file a list of all cases of infectious or contagious diseases in the City, with the date of the report, the location and name of the patient, the disease under which he labors, and the name of the physician in attendance. He shall examine carefully the returns of death, interments and contagious diseases, and should any omission or error occur therein, he shall notify the parties making the return to supply necessary corrections, and any neglect or refusal on their part shall be reported to the Board. He shall keep in a book provided for that purpose, a record of the names and residences of physicians, practitioners of midwifery, undertakers and others required to make returns to the health officers, and shall report to the Board the names of any one who may not appear and register their names when so requested. He shall furnish the inspector of plumbing, and all other officers, a true copy of all resolutions and all actions taken by the Board concerning their respective duties. He shall issue all permits for the removal of dead bodies from the City for interment and collect the statutory fee for the same, but no permit for such removal shall be granted unless the applicant furnishes a certificate from a reputable physician that the party did not die of a contagious disease.

He shall make out and deliver, under the approval of the president, all transcripts of births, deaths or contagious diseases, applied for from the registration records, with the name of the president appended.

He shall attest all claims for pay of agents or employes of the Board; all permits for removal and all orders for the removal of nuisances; and shall receive such fees and penalties as may be paid to him, paying the same to the City Treasurer at the end of every month, and shall do such other services as the Board may require of him.

Duties of Health Officer.

Sec. 7. The Health Officer shall be the executive officer of the Board, and shall have general oversight of the health of the City. He shall order a careful inspection of the City from time to time by the proper officers, and shall examine all nuisances complained of or referred to him by the

Board. The Health Officer shall keep a record of his official acts and report thereon when requested by the Board. He shall receive such fees and penalties as may come into his hands as are provided for in this Ordinance and the Statute of the State of California, and pay the same into the City Treasury at the end of every month. He shall arrest or cause to be arrested and brought before the proper magistrate any person found violating any of the rules of the Board, whenever directed to do so by the President of the Board, or whenever, in his own judgment, the interests of the health of the City will be promoted, and in that case, shall report his action to the President of the Board without delay. He shall, unless otherwise provided for by resolutions of the Board of Health, act as inspector of foods and milks, and shall inspect or cause to be inspected at least quarterly, cows, and the appointments for supplying milk for sale in the City. He shall test or cause to be tested all milk offered for sale, and procure an analysis of the same whenever the Board may direct. He shall also inspect or cause to be inspected, meat, butter, poultry and eggs, and all other marketable produce at least monthly. He shall visit and inspect all public buildings and schools once every quarter in reference to lighting, heating, ventilation and general sanitary conditions. (As amended by Ord. 523.)

Births and Disease.

Sec. 8. Every physician, midwife, nurse, or other person assisting at childbirth, shall return in writing within five (5) days thereafter to the City Health Officer, in such form as may be prescribed by the Health Officer, a certificate of registration of such birth, which said certificate shall contain the information for which the blank furnished by him is intended. If no physician, midwife, or nurse was present at the birth of any child within the City of Fresno, then the parents of said child, the next of kin, in case the parents are not alive, or the person who was present at the time of the birth, if any, shall make such return as is herein prescribed to the City Health officer within ten days after the date of the birth.

Reports of Physicians.

Sec. 9. Every physician practicing within the City of Fresno shall make to the State Board of Health a monthly report of all diseases treated by him during said month.

Certificates of Death, Undertakers, Etc.

Sec. 10. Every undertaker or other person who may have charge of the funeral of any person shall procure from the attending physician a certificate of his death and its probable cause, in the form and manner prescribed by the Health Officer, and shall present the same to the Secretary of the Board of Health and shall obtain thereon a burial or transit permit, which said permit shall be obtained before the time appointed for such funeral or shipment, and he shall not inter or ship any dead body until such burial or transit permit shall have been procured, and any undertaker or any other person having charge of a funeral who shall either inter or ship a dead body without obtaining the permit shall be guilty of a misdemeanor.

Duties of Undertaker, Etc.

Sec. 11. Each undertaker or other person having in charge a funeral, shall sign the requisite statements as to the disposition of the body, also shall notify the Health Officer of the City of all deaths coming to his notice which occurred without medical attendance.

Every undertaker or other person having in charge a funeral or shipment of a dead body shall be held responsible for obtaining and filing

the Certificate of Death and securing the permit either to bury or ship, and shall deliver such permit to the sexton or other person in charge of the premises at the place of interment before the body is interred, or, in the case of shipment, to attach it to the box containing the corpse.

Any physician or other person being familiar with the facts required by this section and who shall refuse to give the certificate prescribed herein is guilty of a misdemeanor.

Duties of Physicians and Other Persons in Case of Death Without Medical Attendance.

Sec. 12. If a person die or is found dead, not having had a medical attendant, it shall be the duty of the first physician who shall see the remains to furnish such certificate of death, if he be satisfied that the said person died from natural causes, otherwise he shall notify the coroner, who shall take charge of the body.

No Body to Be Shipped or Received Without Permit.

Sec. 13. No undertaker, physician, railroad employe, or other person shall receive or convey a dead body to or from the City without a permit from the Board of Health; and such permit shall not be given unless the death certificate required in Section 10 is in the hands of the Health Officer, or accompanies the body brought into the City.

Any one giving or procuring a certificate in which the cause of death is stated falsely is guilty of a misdemeanor.

Cemetery Removals, Etc.

Sec. 14. Every person who acts as a sexton, or undertaker, or cemetery keeper of any cemetery within the limits of the City, or of which the City has control, or has charge or care of any tomb, vault, or burying ground, or any place for the reception of the dead, or where bodies of any human beings are deposited, shall so conduct his business, and shall so care for any such place above named, as to avoid detriment or danger to public health, and every undertaker, in making preparation for the burial of a body dead from a communicable disease, as hereinafter enumerated, shall adopt such precaution as to prevent the spread of such disease from such body. No dead body shall be exhumed or removed between the first day of May and the first day of November succeeding, and no dead body, the result of cholera, yellow fever, diphtheria, small pox or bubonic plague shall ever be exhumed or removed.

Communicable and Dangerous Diseases Classified.

Sec. 15. The following-named diseases are declared to be communicable and dangerous to the public health, viz: Bubonic plague, smallpox (variola and varioloid), cholera, scarlet fever (scarletina, scarlet rash), measles, diphtheria (diphtheritic croup, membranous croup, diphtheritic sore throat), typhoid fever, typhus fever, yellow fever, whooping cough, epidemic cerebro-spinal fever, relapsing fever, epidemic dysentery, hydrophobia, leprosy, tuberculosis and glanders, and shall be understood to be included in these regulations.

Householders Required to Report.

Sec. 16. Whenever any householder knows that any person within his family or household has a communicable disease, dangerous to the public health, except typhoid fever and tuberculosis, such householder shall immediately report the same to the Health Officer, giving the street and number, or location of the house or premises, and he shall immediately placard the house or premises, which placard shall not be removed until it is so ordered by the Health Officer.

Physicians Required to Report.

Sec. 17. Whenever any physician finds that any person whom he is called on to visit, or who comes, or is brought to him or her, for examination, has a communicable disease dangerous to the public health as specified in Section 15 of this Ordinance, he or she shall immediately report the same to the Health Officer, giving the street and number, or location of the house or premises. On the receipt of said report, the Health Officer shall immediately ascertain if said report is true, and if found so, in all cases except typhoid fever and tuberculosis, he shall placard the house and place a yellow flag on said premises, which no person shall remove during the continuance of said disease on said premises, and shall, except in cases of typhoid fever and tuberculosis, promptly report in writing to the City Superintendent of Schools the name and residence of said person sick with such communicable or contagious disease. It shall be the duty of the City Superintendent of Schools, when so notified, to refuse admittance to the school of any member of said family, one or more of whom are sick with said disease; the person so excluded shall only be admitted on presenting a certificate from the Health Officer. It shall also be compulsory for the physician attending any person suffering with plague, cholera, smallpox, diphtheria, yellow fever, or scarlet fever, before visiting any other patient except such as are sick with a similar disease, to change his clothing and disinfect himself, as the Board of Health may direct.

And all nurses and other persons in contact with such patients shall change their clothing and disinfect themselves before coming in contact with other persons, or appearing on the streets.

It shall be the duty of the City Physician, immediately upon report to him of a case of Tuberculosis, to furnish to the family or occupants of the house in which such case is located, such printed rules, regulations, cautions, and warnings as the Board of Health may have previously adopted for the guidance, control, care, actions and daily life, not only of the patient himself, but the other members of the household in which such patient is located.

Public Funeral After Infectious Diseases Forbidden.

Sec. 18. There shall not be a public or church funeral of any one that has died of cholera, smallpox, typhus fever, diphtheria, yellow fever, scarlet fever, or measles, and the family of the deceased shall in all such cases limit the attendance to as few adult persons as possible to prevent the exposure of other persons to contagion or infection; and the person authorizing the public notice of the death of such persons from a communicable disease, shall have the name of the disease which caused the death to appear in such public notice.

Aside from the family, no minor child, or mother or minor children with whom she lives, shall attend such funeral.

Burial.

Sec. 19. The remains of any person having died of a dangerous contagious disease shall be disinfected and placed in a coffin or casket within six hours after death, and such coffin or casket shall then be immediately closed tightly and not again opened; the body shall be buried within twenty-four hours after death, and shall not be conveyed in any carriage used by the public; and any conveyance so used shall not again be employed in any manner until thoroughly disinfected and made safe.

Period of Isolation for School Children.

Sec. 20. No parent, guardian or master in whose family there shall be a communicable disease dangerous to the public health, shall permit any child or other person residing in said house, or family, to attend any

public, private or Sunday school, church or any other public gathering, after the cessation of said disease within a period of thirty days after the house shall have been thoroughly disinfected and cleansed, and all such children or other persons, before being permitted to attend or return to school, shall furnish to the principal or teacher a certificate signed by the health officer stating that the thirty days aforesaid have fully expired. And it shall be the duty of the Board of Health to have this section printed on cards mentioning the names of the diseases declared communicable and dangerous to the public health, and furnished to every school, academy, seminary, kindergarten and Sunday school in this City.

Exposure of Persons or Things Dangerous to Public Health Forbidden.

Sec. 21. No person shall, within the limits of the City, unless permitted by the Board of Health, carry or remove from one building to another any patient affected with any communicable disease dangerous to the public health. Nor shall any person by any exposure of any individual so affected, or by the body of such individual, or by any article capable of conveying contagion or infection, or by any negligent act connected with the care, or custody thereof, or by needless exposure of himself or herself, cause or contribute to the spread of disease from any such individual or dead body.

Public Conveyances not to be Infected.

Sec. 22. No person suffering from or having recently recovered from bubonic plague, smallpox, scarlet fever, yellow fever, or diphtheria, shall expose himself or herself, or any one under his charge in a similar condition, in any conveyance, without having previously notified the owner or person in charge of such conveyance, of the fact of such condition as above stated. And the owner or person in charge of such conveyance must not, after the entry of any person so affected into his conveyance, allow any other person to enter it, without having sufficiently disinfected it, under the direction of the Board of Health.

Infected Houses or Rooms not to be Let.

Sec. 23. No person shall let or hire any house or room in any house or building in which a communicable disease dangerous to the public health has recently existed, until the room, or house and premises therewith connected and all articles therein liable to infection, have been thoroughly disinfected to the satisfaction of the Board of Health; and for the purpose of this section, the keeper of any hotel, inn, lodging house, or other building for the reception of lodgers, shall not be deemed to let or hire a room, part of the house or building to any person admitted as a guest into such hotel, inn, or house.

Disinfection Required.

Sec. 24. The clothing, bed clothing and bedding of any persons that have been sick with any communicable disease dangerous to the public health shall as soon as practicable after recovery or death, be thoroughly disinfected or burned; and any rooms which they have occupied during such sickness, together with the furniture used therein during such illness, shall be thoroughly fumigated and disinfected, under the direction of the Board of Health.

The owner, lessee or agent of any house which has been occupied by any person who has been affected with or who has died from tuberculosis or any other communicable disease dangerous to public health, shall immediately disinfect the same in a manner satisfactory to the Health Officer.

Vaccination Required.

Sec. 25. It shall be the duty of all persons not immune from smallpox to be vaccinated and cause all children under their control not immune to be vaccinated whenever, by reason of the presence or prevalence of smallpox in the community, the Board of Health shall so order; the City Health Officer shall vaccinate free of charge all persons applying to him.

Isolation of the Sick.

Sec. 26. Any place in which a person ailing with a dangerous infectious disease may be confined, shall be and remain under the control of the Board of Health so long as the disease exists, or the place may be considered dangerous to the public health; and no person shall enter or leave the same if forbidden by the Board, or its proper officer. The Board may further, if they shall deem it necessary, put a guard, or guards, upon said house, place or premises.

Nuisances—Nuisances Defined.

Sec. 27. Whatever is dangerous to human life or health, whatever renders the air, food, water or other drink, unwholesome, or whatever building, erection, or part or cellar thereof is overcrowded, or not provided with adequate means of egress or ingress, or is not sufficiently supported, ventilated, sewerred, drained, cleaned, or lighted, are hereby declared to be nuisances and to be illegal, and every person who aided in creating or contributing to the same, or who supports, continues, or retains any of them, shall be guilty of a misdemeanor and also liable for the expense of the abatement and remedy thereof.

Annual Cleaning of the City.

Sec. 28. Every owner or occupant of any premises upon which there is any cellar, sink, cesspool, privy, or drain tank for holding water used for household, domestic, or irrigation purposes, must during the month of April of each year cause the same to be thoroughly cleaned and disinfected.

a. All refuse, vegetable or animal matter, must either be burned or removed from the City limits.

b. No manure, or old papers, straw, sawdust, excelsior, or other material used in packing or otherwise shall be thrown into any public street or alley of said City, but must be burned or hauled away.

c. No grocer or produce merchant shall expose for sale, or permit upon his premises any decayed or decaying vegetables.

d. No butcher or grocer shall keep or offer for sale any putrid or decayed meats or fish.

e. No person shall throw any kitchen water, slops of any kind, excrement, urine or impure water or matter from any window or other opening in buildings, or empty the same by drains or otherwise upon any street, alley, stream, vacant lot, grounds or public place in the City.

f. No refuse, vegetable or animal matter, or excrement, shall be thrown or permitted to be put into any stream or pond within the City.

g. No carcasses of horses, cattle, dogs, or other animals shall be buried within said City.

h. No person shall permit or suffer any cellar, drain, pool, sink, or sewer or other place upon any premises belonging to or occupied by him to become or remain wet, foul, or offensive.

i. No person shall keep or maintain any hog pen or pig sty within said City, nor shall any person keep or maintain in pens, sties, or other-

wise, any live hogs within said City longer than may be necessary for shipment.

j. Whenever any house, building or structure used or intended to be used for the occupancy of human beings, is located upon any lands within said City which abuts upon any alley, street, or place in which a main or lateral sewer is laid, said house, building, structure or premises must be connected with such sewer and a suitable water closet with proper water connections constructed and maintained in good repair, provided there is a sufficient water supply for such purposes, and it is hereby made the duty of every owner, agent, lessee and tenant of any such house, building, structure, or premises to cause the same to be connected with said sewer and a suitable water closet constructed therein or thereon, with proper water connections, and keep the same in repair, and a failure to do so will constitute a misdemeanor, and it is hereby declared unlawful to let to or hire from, or occupy or reside in any such house, building or structure, or upon any premises during the whole or any part of the time the same is not connected with said sewer, and water closet constructed with proper water connections, or maintained as herein provided.

Provided, that if such structure shall have been made before such sewer was laid, then such occupancy or letting shall be unlawful and punished as a misdemeanor if continued longer than two months after notice of such sewer being ready for use.

k. Whenever ordered by the Board of Health or the Health Officer, the Plumbing Inspector shall either distribute or cause to be distributed circulars, by leaving one or more at every dwelling or other occupied building in the City, which shall embody the rules set forth in this section, and call attention to the necessity of their observance and of putting all premises within the City in good sanitary condition.

Penalty.

Sec. 29. Any person violating or wilfully non-complying with any of the provisions of the last section, is guilty of a misdemeanor.

Stables to be Kept Clean.

Sec. 30. All stables and stable yards shall be kept clean, and between the 15th of May and the 1st of November following, not more than one wagonload of manure at any private stable, nor more than two wagonloads at any livery, feed yard or hotel stable, shall be allowed to accumulate in or near the same at any one time; and when it is necessary to remove such manure from the premises as aforesaid, it shall be done in such manner that none of it may be dropped or left in any alley, street, road, lane or passage way within the limits of the City.

Privy Cleaners.

Sec. 31. No person shall be allowed to engage in the business of cleaning privy vaults, cesspools or reservoirs within the limits of the City without first having obtained from the Board of Health a permit to engage in such work; and no one will be allowed to transport through any of the public streets, avenues or alleys, any of the material removed from any privy vault, cesspool or reservoir, unless the same is transported in air-tight apparatus, or in such a way that none of the contents of the transporting vessel, including gases and odors, escape from it or are exposed to the open air during transportation; and, further, the applicant shall exhibit to the Board his various carts, wagons, apparatus and other appliances which he proposes to use—subject to their approval—and shall satisfy them that he has an unobjectionable place, and method of disposing of the material removed from the privy vaults, cesspools or reservoirs.

Promptness and Thoroughness in Cleaning Privy Vaults.

Sec. 32. Every cesspool and privy vault must be thoroughly cleaned at least once every year, and the cleaning of privy vaults shall commence the 1st of April, and when once commenced, it must be prosecuted continuously to completion, and when any of these are ordered to be cleaned, they must be completely emptied. The failure of the cleaner to obey any part of this section will be sufficient cause to revoke his permit, and the person so failing shall be guilty of a misdemeanor.

Permits to Privy Cleaners.

Sec. 33. The permit to clean privy vaults, cesspools, and reservoirs shall, by order of the Board of Health, be issued under the president's signature, attested by the secretary, and the fee therefor shall be fifty cents, and no permit shall be granted for less than one year.

Must Have Permit.

Sec. 34. If any one shall employ an unauthorized person to clean his or her privy vault or cesspool, or shall do the same himself, not having proper appliances approved by the Board, or shall drain into another place, he shall be guilty of a misdemeanor.

Privy Vaults Must be Disinfected.

Sec. 35. No person shall deposit in a privy vault any rubbish, cinders, stones, or other improper substances until first having carefully covered the contents of said privy vault with lime or chloride of lime in sufficient quantities to thoroughly and completely disinfect the contents thereof, and any person who shall fill up such vault except as is herein provided, or who places over the lime or other disinfectant used therein a layer of earth less than eighteen inches in depth, shall be guilty of a misdemeanor, and every day that such vault shall so remain filled with less than eighteen inches of earth in depth, or without the proper amount of disinfectant, shall constitute a separate offense.

Sec. 36. No privy vault or cesspool shall be hereafter constructed within the City, except by permission of the Board of Health; and all privies must have either water and sewer connections, so as to admit of flushing out, or be made water tight by use of brick or stone walls and cement; or dry earth closets may be used.

Infected Persons and Things Excluded.

Sec. 37. No person, animal or article liable to propagate a dangerous disease shall come or be brought within the limits of this City unless by special permit and direction of the Board of Health; and any one having knowledge of such person, animal or article being or brought within such limits shall immediately notify the health officer thereof. Any violation of the provisions of this section shall constitute a misdemeanor.

Infected Animals Excluded.

Sec. 38. No animal affected with a communicable disease dangerous to public health shall be brought or kept within the City except by permission of the health authorities; and the bodies of animals dead of such disease, or killed on account thereof, shall not be buried within the City or within five hundred feet of any residence, or disposed of otherwise than as the Board of Health may direct.

Contamination of Springs or Wells.

Sec. 39. No privy vault or cesspool shall be constructed within 75 feet of any spring or well, and when any such well or spring is found to be within 75 feet of such cesspool or privy vault, or the Board of Health shall be satisfied that the water of any spring or well is detrimental to health,

they may order the use thereof to be abandoned, and the well filled up at the expense of the owner; or, in case of drive wells, the pipe shall be withdrawn.

Whistles and Bells.

Sec. 40. If a sick person is injured or distressed by the ringing of a church or other bell, or by a steam or compressed air whistle in the neighborhood of the residence of such sick person, the health officer, on a certificate of the attending physician so stating, shall require such bell ringing or whistle blowing to be discontinued while the condition of the patient shall require it, and a failure to so discontinue the use of said bell or whistle when so notified shall constitute a misdemeanor.

Garbage.

Sec. 41. All garbage, rubbish and the like must be delivered at the City dump grounds; but no part thereof shall be deposited within the City limits unless a dumping ground is provided therefor by the Board of Trustees of said City. Said garbage, rubbish, etc., shall be removed in such a way that no part thereof will be permitted to drop or be scattered along the streets, alleys or other places over which said garbage, rubbish, etc., is transported.

Sec. 42. Any one gathering offal, swill or refuse material shall collect the same in water-tight metal containers, with close fitting covers, which shall be emptied at least once in forty-eight hours. No vehicle so employed shall stand on any street or alley longer than is necessary to transact such business.

Sec. 43. No sunken places shall be filled, nor made land constructed with material containing admixture of putrescible animal or vegetable matter.

Sec. 44. No meat, fish, birds, fowls, fruit, vegetables, milk, and nothing for human food not being then healthy, fresh, sound, wholesome, fit and safe for use, nor any fish or animal that died of disease, and no carcass of any calf, pig, or lamb which at the time it was slaughtered was less than four weeks old, and no meat therefrom shall be brought within the limits of the City, or sold, or exposed or offered for sale therein.

Sec. 45. Any person who sells cigarettes to any one under 16 years of age shall be guilty of a misdemeanor.

Sec. 46. Smoking cigarettes by any one under 16 years of age, being detrimental to public health, is hereby declared to be a misdemeanor.

Sec. 47. Every barber and every person conducting a barber shop or carrying on the business of barbering for hire in the City of Fresno, shall comply with the following rules and regulations:

Every place of business shall be kept thoroughly clean.

Every barber shop shall be provided with running cold water.

All wash basins must be connected with sewer, properly trapped, and kept thoroughly clean.

Floors shall be mopped with some antiseptic, preferably with a solution of corrosive sublimate in the proportion of one part corrosive sublimate and 5000 parts water.

Cuspidors must be made with wide opening or removable covers and kept thoroughly clean, containing water with some antiseptic solution.

Bath tubs shall be thoroughly cleaned after each separate bath, and flushed with hot water.

All mugs and shaving brushes shall be sterilized by immersion in boiling water or in 3 per cent to 5 per cent formalin solution after each separate use thereof.

All razors shall be wiped with 96 per cent alcohol before and after being used on any person.

Hair brushes (known as sanitary brushes) must be used. These must be sterilized by immersion in boiling water or 5 per cent formalin solution.

Combs must be kept clean and treated likewise.

Razor strops must be kept clean and not wiped with the hand in using.

A separate clean towel shall be used for each person.

Alum or other material used to stop the flow of blood shall be used in powder form and applied on a towel.

The use of powder puffs and sponges is prohibited, towels or absorbant cotton should be used in their place.

Every barber shall cleanse his hands thoroughly after serving each customer.

All scissors, needles, tweezers, forceps, and all other instruments must be disinfected in boiling water or a 3 per cent to 5 per cent formalin solution immediately after using.

Barbers are warned against treating skin diseases, barber's itch, etc., and should advise their customers to consult a physician.

These rules shall be printed on placard in legitimate type and placed in a conspicuous place in all barbers' shops.

Any barber failing or refusing to comply with any of these rules is guilty of a misdemeanor.

Dairies.

Sec. 48. No person shall maintain a dairy within the limits of the City. The maintenance of a dairy is hereby defined and declared to be the maintaining of three or more cows and selling the whole or a part of the milk thereof. Every person who shall keep a cow or cows within said City shall be required to obtain a permit from the Board of Health. Any person who keeps or maintains any cows within the City and sells the milk or any part thereof, shall have each cow inspected and reported, and be subject to all regulations relating to the sale and disposition of the milk required by this ordinance.

Milch Cows and Dairies.

Sec. 49. All persons intending to sell milk in the City of Fresno must make application to the inspector of milk for the inspection of his herd, stable, food and water supplies for herd, and apparatus for gathering and distributing the milk, as provided in Section 51 of this Ordinance.

Sec. 50. No person shall sell milk within the City of Fresno until he has exhibited to the inspector of milk his cows and stables; and the cows and stables of all persons from whom he obtains milk, and received from the said Board a certificate, which he shall exhibit on demand, showing that the cows are healthy and the stables, food and appliances are in good sanitary condition. Any addition of non-inspected cows to the herd of any dealer shall be reported to the inspector of milk within ten days thereafter, and should any person sell the milk of any cow, which has not been inspected and approved, he shall be guilty of a misdemeanor.

Sec. 51. Every person desiring to vend milk within the City of Fresno shall make a written application to the milk inspector requesting an inspection of applicant's dairy and herds as provided in Section 49 of this Ordinance; said application must be in writing and must contain:

1. The name of the applicant in full, and the name of every person interested in said dairy; the name of the dairy and its location.

2. A statement of the number of cows owned by him, if any, and the names and residences of persons from whom he procures milk, together with the number of cows owned by them.

3. A statement that the applicant desires to sell milk to the citizens of Fresno, and that he makes application to the milk inspector to inspect his cattle and appointments for the supply of milk under the rules and regulations of the Board of Health of said City, and that he agrees to observe strictly the following regulations regarding the milk which he supplies to all customers:

(a) That no milk shall be delivered or sold in said City from cows that are unhealthy, from cows receiving any kind of medicine, from cows with inflamed udder, or any part thereof in an abnormal condition from any cause, from cows affected with lump jaw, or from cows while in heat unless such cows are kept from the rest of the herd during that time; from cows within thirty days before or six days after calving.

(b) That no milk shall be delivered or sold within said City from cows that are fed partially or wholly on turnips, cabbage, brewery or distillery malt, rancid foods, or any other kind of food that would deteriorate or taint the quality of the milk, or from cows supplied with bad or impure drinking water.

(c) That no milk shall be delivered or sold within said City which has been drawn from the cow more than fifteen (15) hours, nor from which any part of the cream has been removed (except that it be supplied and marked as provided in Section 53 of this Ordinance), or from which strippings have been kept back, nor milk which differs in any way from fresh, sound, pure, unadulterated cow's milk.

(d) That the applicant agrees that he will not furnish or sell within said City any milk from any cows unless they have been inspected by the milk inspector for the Board of Health of said City, and that his cows shall be milked in the cleanest possible manner, without moistening the teats; that milkers' hands shall be kept clean and udders wiped with a clean damp cloth just before milking; that the applicant also promises that all his milkers shall wear a clean outer garment which shall be used for no other purpose than for milking, and used at each milking.

(e) That the applicant agrees to remove each cow's milk from the stable immediately after milking, and that he will strain, cool and aerate all milk until the temperature of same is reduced to 65 degrees Fahrenheit.

(f) That special care should be taken to remove from the stables all manure and everything of a foul, unclean nature, and that he will keep his stables clean and will whitewash the same thoroughly every spring and fall, and that he will keep his cow yards reasonably free from mud and manure, and that he will not at any time stack or permit to be stacked any manure against his cow stables.

4. A stipulation that applicant promises that should any member of his family or any employee become sick with any contagious disease, as defined in this Ordinance, he will immediately notify the Health Officer of said City, and that he will immediately notify the milk inspector of any dwelling or other building, placarded for contagious diseases, if said building is occupied by a person to whom he delivers or sells milk.

5. A consent that the Board of Health of said City, or any member, officer, or employe thereof, shall have the right to visit the premises of the applicant at any time for the purpose of inspecting the cows, stables, milk houses, food and water supply, and take samples of milk from his

dairy or any milk wagon on the route of applicant in order to see that the stipulations herein contained are being carried out.

6. A stipulation that the Board of Health, or any official or employe thereof, in making inspection of the dairy cows of applicant, may use such tests as in his judgment shall seem most calculated to prevent the sale or delivery of unhealthy milk within said City.

7. A stipulation that he will not receive, sell, or offer for sale the milk of any cow condemned at any inspection, until such condemnation has been removed on subsequent inspection, and this shown by a certificate in writing signed by the milk inspector and deposited with the Board of Health.

8. A stipulation that he will abide by any and all regulations of the Board of Health of said City, of the Board of Trustees thereof, relating to the sale of milk therein, and the conduct and management of dairies supplying milk to said City and the inhabitants thereof, and that if he fails to carry out the stipulations and agreements contained in said application, or the ordinances of said City, and the rules and regulations of the Board of Health now in force or hereinafter adopted relating to the sale of milk in said City, that the license of applicant, upon notice, may be revoked.

9. An agreement that he will not, during the period from and including April first, to and including October thirty-first of each year, bring into, sell, keep, or offer for sale within said City any milk which contains more than 75,000 bacteria per cubic centimeter; or which, during the period from and including November first each year, to and including March thirty-first each year, contains more than 50,000 bacteria per cubic centimeter; or such other numbers, maximum, as the Board of Health shall from time to time prescribe, after notice thereof.

10. Said application must be signed and verified by the applicant.

If any vender of milk has failed, neglected and refused to carry out any of the provisions of the Ordinances of the City of Fresno, or any rule or regulation of the Board of Trustees, or any agreement or promise contained in his application relating to the sale and delivery of milk or regulation of the Board of Health, or any agreement or promise and may, upon notice with an opportunity to be heard, revoke any license heretofore or hereafter issued, if said vender shall fail to carry out any provisions of the Ordinances of the City of Fresno, or any rule or regulation of the Board of Health now in force or hereafter adopted relating to the sale and delivery of milk in said City.

Sec. 52. Every vender of milk within the City shall have his name and place of business plainly and conspicuously placed upon every conveyance used by him in the delivery or sale of milk.

Sec. 53. No dealer in milk and no servant or agent of such dealer shall sell, exchange or deliver, or have in his custody or possession with intent to sell, exchange or deliver, milk from which the cream or any part thereof has been removed, unless in a conspicuous place above the center, upon the outside of every vessel, can, bottle or package, from or in which such milk is sold, the words "Skimmed Milk" are distinctly printed in letters not less than one inch in length. Nor shall any such person receive, sell, exchange or deliver, offer for sale, or have in his possession for sale within said City the milk of any cow condemned at any inspection by the milk inspector, until such condemnation has been removed on subsequent inspection and this is shown by a certificate in writing made and signed by said inspector and deposited with the Board of Health.

Sec. 54. No person shall sell, offer for sale, or have in his possession for sale in the City of Fresno any unwholesome, diluted, or adulterated milk, or milk known as "swill milk," or milk containing more than 87.50 per centum of watery fluid, or less than twelve and forty-nine-one-hundredths per centum of milk solids, or less than 3.5 per centum butter fats, or the specific gravity of which, at a temperature of 60 degrees Fahrenheit, shall not be between 1.029 and 1.033, or milk from cows that are fed swill, still hops, brewery or distillery malt, or other like food.

Sec. 55. It shall be the duty of the Health Officer, as inspector of milk, from time to time to test all milk offered for sale, and to have the same analyzed whenever the Board shall so direct.

Besides the chemical and other tests necessary, such bacteriological tests of the milk of all dairies and the milk from all cows where the milk is sold in said city shall be made under the authority of the Board of Health as shall be required by said Board. Such tests shall be thorough and shall be made according to such rules as said Board may from time to time adopt, and such tests shall be promptly reported to said Board, and notice of so much thereof as concerns the owner of the milk tested shall be promptly given him, and the Board of Health may, with the consent and approval of the Board of Trustees of said City, appoint some competent bacteriologist at a fixed salary of \$25.00 per month.

Sec. 56. It shall be and hereby is declared unlawful for any person to bring into, hold, keep, sell or offer for sale within said City any milk which has been watered, adulterated, reduced or changed in any respect from its natural condition by the addition of any foreign substance, whether such person knows said milk has been watered, adulterated, reduced, or changed or not, or whether he knows that any foreign substance has been added thereto or not; it shall be and is hereby declared unlawful for any person to bring into, hold, keep, sell or offer for sale within the said City any milk during the period from and including April first to and including October thirty-first each year, which contains more than 75,000 bacteria per cubic centimeter, or which, during the period from and including November first to and including March thirty-first each year, contains more than 50,000 bacteria per cubic centimeter, whether such person knows such milk contains bacteria in excess of the minimum number permitted therein or not.

Sec. 57. No milk shall be sold by any person in whose family or residence there may be any one sick with a contagious disease, especially diphtheria and tuberculosis, scarlet fever or typhoid fever. Where dairy-men use milk tickets, after having been once used, when taken up, they must be destroyed and not used a second time.

Sec. 58. No person within the corporate limits of the City of Fresno, shall sell or offer for sale, the milk from any cow suffering from any sickness or injury, nor the milk from any cow or cows suffering from lump jaw, nor from any cow or cows which are permitted to feed, graze, or herd with other cows or cattle suffering from any of the diseases herein referred to.

Sec. 59. Any person who shall sell, offer for sale, or bring within the City limits, except in case of a carrier, to be delivered to a licensed milk vender, any milk without first procuring the certificate provided for in Section 49 of this Ordinance authorizing him so to do, shall be guilty of a misdemeanor.

A portion of the health regulations of the City of Fresno, including the rules and regulations for plumbing and drainage.

Plumbing Inspector.

Sec. 60. The Plumbing Inspector, when appointed by the Board of Health, shall, in all cases, be ex-officio Sanitary Inspector.

Assistant Plumbing Inspector.

Sec. 61. The Board of Trustees may, upon request or the recommendation of the Plumbing Inspector, appoint an assistant who shall, while acting as such assistant, be under the direction and control of the Plumbing Inspector.

Compensation of Assistant.

Sec. 62. When such assistant is appointed and acting as herein provided, his compensation shall be paid by the City of Fresno at the same time and in the same manner as the salary of all officers of the City are paid, and shall be fixed from time to time by the Board of Trustees of said City of Fresno.

Reports of Assistant.

Sec. 63. When such assistant, if one is appointed, is so acting, all reports required of him by this Ordinance, the Charter of the City or the rules and regulations of the Board of Health of said City, shall first be submitted to the Plumbing Inspector and thereafter by the Plumbing Inspector be submitted to the Board of Health.

Powers of Inspectors.

Sec. 64. As both Plumbing and Sanitary Inspector, the Plumbing Inspector and his assistant, if one shall be appointed, shall have power, and it shall be their duty to inspect and examine under the direction of the Board of Health, all buildings and places in the City of Fresno suspected of being in an unsanitary condition, and do and perform such other things with reference to the sanitation of the City of Fresno as shall be required by the regularly adopted rules and regulations of the Board of Health.

Badge of Inspectors.

Sec. 65. As Sanitary Inspector, the Plumbing Inspector or his assistant shall wear an appropriate badge of office, as shall be prescribed by the Board of Health, and shall, upon the exhibition thereof, have the right of inspection of all places in said City.

Duties of Plumbing Inspector.

Sec. 66. The Plumbing Inspector of the City of Fresno shall inspect all plumbing in said City, at such times as are reasonable, and in such a manner as will insure a sanitary condition thereof, whether old or new plumbing; he shall examine all plans and specifications of contemplated buildings, improvements, repairs, and alterations of buildings as far as the plans and specifications thereof shall relate to the plumbing or sanitary condition of said buildings, repairs, or alterations; he shall either approve or reject the plans and specifications so far as they relate to the plumbing of said building, improvements, alteration, or repairs, which said approval or rejection shall be designated upon said plans and specifications in writing, with the date of such examination, together with the number of such plans and specifications so submitted to him; and he shall thereafter deliver or cause to be delivered the said plans and specifications, with such approval or rejection written thereupon, to the office of the City Engineer of the City of Fresno; he shall also keep a record of such examination, his action thereupon, the date of his action,

the record of the names of the owner of the contemplated building, improvement, repair, or alteration, the name of the architect who submitted said plans and the name of the contractor, if known to him, who is to erect such building or make such alterations or repairs, and the location of the proposed designated work. If the Plumbing Inspector shall approve the plumbing work designated in said plans and specifications so submitted to him, he shall give a written permit to the applicant asking therefor, for the work to be done; if said plans and specifications are not in accordance with this Ordinance, and the rules and regulations of the Board of Health in existence at the time of the signing of the permit, the Plumbing Inspector shall, in writing, notify the party applying for such a permit of the defects thereof, and shall explain the corrections required to be made in order that said plumbing work may be done in compliance with this Ordinance and the rules and regulations of the said Board of Health.

Duties of Inspector.

Sec. 67. It shall be the duty of the Plumbing Inspector to examine all plumbing placed in buildings, improvements, repairs, or alterations before the same is covered up or closed in, and if found to be done in accordance with the Ordinances of the City of Fresno pertaining to plumbing work and other sanitary matters, he shall issue a certificate to that effect; it shall also be the duty of the Plumbing Inspector to examine all plumbing placed in buildings, improvements, alterations or repairs as soon thereafter as the same shall have been completed, and if, when completed, the work shall conform to the rules and regulations of the Board of Health and the Ordinances of the City of Fresno pertaining to such matters, he shall issue a final certificate of approval of such work.

Reports of Inspectors.

Sec. 68. The Plumbing Inspector shall, on the first day of each and every month after his appointment, make a monthly report to the Board of Health, which said report shall contain the number of plans and specifications received; the number approved; the number rejected; the number of first and final examinations made; the number of violations of the rules of the Board of Health, if any; the number of violations of the Ordinances of the Board of Health, if any; the number of violations of the Ordinances of the City of Fresno pertaining to plumbing or other sanitary conditions of the City, if any, and any and all other matters which may from time to time be required by the Board of Health with reference to and pertaining to the plumbing and other sanitary conditions of the City of Fresno.

To Abate Nuisances.

Sec. 69. It shall be the duty of the Plumbing Inspector, immediately upon ascertaining the existence of anything which is prejudicial to public health, unsanitary, or a public nuisance, to promptly notify the party or parties responsible for the same to remove or abate the nuisance at once—such notice shall be in writing and in such form as may be adopted by the Plumbing Inspector for that purpose if said nuisance or thing is not removed or abated within the time designated therefor in such notice, then the Plumbing Inspector is hereby authorized to remove or abate the same, and the cost thereof, with 20 per cent additional, may be recovered from said parties by suit in the name of the City, in any court of competent jurisdiction. In the event the Plumbing Inspector shall be compelled, under this Ordinance, to remove or abate any such nuisance, then he shall immediately in writing, report his action to the Board of Health, giving such circumstances and details in such

report as shall place said Board of Health in a position to thoroughly understand the case reported, and if, in the opinion of the Board of Health, the property upon which such nuisance or unsanitary thing exists should bear the expense of the abatement thereof, such costs and expenses, together with 20 per cent. additional, shall be certified by the Board of Health to the City Clerk, and when so certified, shall become a lien upon and against the property, and shall be collected in the same manner as any other taxes in favor of the City is collected.

Notice of Nuisance.

Sec. 70. When intending to charge the property with the costs and expenses of the removal or abatement of the nuisance or unsanitary thing, the notice heretofore provided for shall be served upon the owners or reputed owners of said property residing in the City of Fresno, provided they reside therein by a written or printed copy thereof served personally or left at their residence with some adult member of the family; in the event the owner is a non-resident, such notice shall be served by a written or printed copy thereof left on the property with some adult member of the family occupying the same, if occupied, and if unoccupied, by sending the notice aforesaid to the owner or agent of the property, if one can be found, and if the owner or agent can not be found, then by posting such notice, either written or printed, upon the premises and publishing a copy thereof in a newspaper of general circulation in the City of Fresno for at least six days.

Yearly Inspection.

Sec. 71. The Plumbing Inspector shall, either personally or by his assistant, on the first Monday of April of each year, commence the inspection of all streets, alleys, lanes, places, cesspools, vaults, privies and stables in the City of Fresno, and compel a general cleaning up of said City and places, and especially shall this work be done in the outlying portions of the City not sewered.

Quality and Material of Workmanship.

Sec. 72. All material must be of good quality and free from defects. The work must be done in a thorough and workmanlike manner.

Arrangement of Pipes, Etc.

Sec. 73. The arrangement of sewer, drain, soil, waste and vent pipes must be as direct as possible, excepting as provided in these rules. All changes in the direction of sewer, drain, soil and waste pipes shall be made with Y branches 1-16, 1-6 or 1-8 bends. Off sets may be used, provided the angle they present is not more acute than that presented by a 1-6 bend. Where, under these rules, castiron pipe is allowed, no double hubs, double hub fittings or inverted joints shall be allowed below the water line; they may, however, be used on the vent. Neither brass, wrought or cast-iron sleeves are allowed in any case. Straight crosses, bands and saddles are prohibited. Four by two, or any other heel outlet fitting will not be allowed to act as waste pipe through the two-inch opening except on vertical lines or stacks; excepting where under architectural conditions the space is limited, double T Y's will not be allowed to serve closets, and then only on vertical lines or stacks. Where, by architectural conditions, it is not practicable to use Ys or to comply strictly with the rules as to manner of venting, then these rules must be complied with as nearly as practicable and the exceptions meet with the approval of the Plumbing Inspector.

Separate Sewers.

Sec. 74. Every house and building must be separately and independently connected with the street sewer, except in cases where there may

be a house in the rear of the lot. In this case it may be connected with the sewer of the house in front, provided the old sewer will satisfactorily stand the test. A house or building shall be defined as an architectural structure covered by one roof and enclosing walls. Porches, or the continuation of porch roofs from building to building, shall be considered as a portion of the main structure.

Sewer.

Sec. 75. The sewer, when it lies under the building and for three feet beyond the front or back wall, or any wall, shall be of quality known to the trade as standard cast-iron pipe, and all fittings shall be of same material. Outside of the building line the sewer shall be continued to the main sewer in the street or alley with either cast-iron pipe or vitrified ironstone pipe of the best quality. This, however, shall not permit the use of intermediate sections of ironstone pipe between cast-iron pipe, nor the introduction of cast-iron sections between ironstone pipe.

House Sewer.

Sec. 76. House Sewer is the term applied to that portion of the main drain extending from a point three feet outside the outer face of the wall to its connection with the public sewer.

House Drain.

Sec. 77. House Drain is that term applied to the main horizontal drain and its branches inside the walls of the building, extending to and connecting with the house sewer.

Soil Pipe.

Sec. 78. Soil Pipe is the term applied to any pipes receiving the discharge of one or more water closets with or without other fixtures.

Waste Pipes.

Sec. 79. Waste Pipe is the term applied to any pipe receiving the discharge of any fixture except water closets.

The house drain must be of "extra heavy cast-iron," in three-story buildings or over; in one and two-story buildings, standard pipe may be used.

All extra heavy cast-iron pipe must be of the following sizes and weights, with weight, size and maker's name cast on the pipe:

Diameter	Weight per lineal foot
2 inches	5½ pounds.
3 "	9½ "
4 "	13 "
5 "	17 "
6 "	20 "
7 "	27 "
8 "	33½ "
10 "	45 "
12 "	54 "

Ironstone Sewer.

Sec. 80. All joints on ironstone pipe must be made with Portland cement, or other cement of like quality, and clean, sharp sand, and each joint of pipe when laid must be properly cleaned by suitable scraper before the succeeding joint is put in place.

Joints on Cast-iron Pipe.

Sec. 81. All joints on cast-iron pipes and fittings must be made with suitable packing of oakum run full with molten lead and properly caulked.

Fall of Sewers.

Sec. 82. All sewers and soil pipes shall have a continuous fall of not less than one-quarter inch to the foot, and if possible more. Where practicable, it shall be run along the cellar wall, or if laid under the cellar or lowest floor of a building, be hung with iron hangers securely fastened to floor joists. When it is not possible to run and fasten the cast-iron sewer pipe as above directed, it may be run in a trench cut to a uniform grade.

Trap in Sewer.

Sec. 83. The sewer shall have a house-trap placed twenty feet or more from rear wall of building (where possible).

Fresh Air Inlet.

Sec. 84. Every house drain shall have a cast-iron return bend placed over house trap for fresh air inlet of not less than four inch pipe, and said inlet shall be provided with an area of not less than sixteen square inches air space of inlet. Said air inlet shall be connected to the house side of trap and lead to outer air, terminating at a point not less than twenty feet from any door or window. Said fresh air inlet shall be constructed in such a way that at least two feet of cast-iron pipe shall be below the surface of the ground, provided the sewer at such point of construction is sufficiently beneath to permit it.

Protection for Fresh Air Inlet.

Sec. 85. The main trap shall have its fresh air inlet so constructed as to freely admit a supply of the outer air, and at the same time offer protection to the trap from foreign matter being introduced therein.

Clean-outs.

Sec. 86. Heavy brass male thread clean-outs of at least one-eighth of an inch in thickness in the cover, the same to have a solid cast square head, shall be placed at the end of each horizontal line of drain pipe. In no case shall the clean-out provided for the main horizontal cast-iron drain pipe be of a diameter less than four inches. In all other drains the clean-outs shall be of the same size as the pipes they serve.

Material of Pipe.

Sec. 87. Every soil and drain pipe shall be of cast or wrought iron pipe. Waste pipes may be of cast, wrought, or lead. Where lead is used, it shall be used only as branches to connect with the cast or wrought iron; said branches shall not exceed five feet in length. The maker's name must be cast on each length of cast-iron pipe. No galvanized pipe shall be used as a waste or soil pipe.

Securing Pipe.

Sec. 88. No soil pipe less than four inches (inside diameter) shall be permitted, and soil and waste pipes shall be thoroughly fastened and secured with heavy wrought iron straps or hooks.

Extra Heavy Pipes.

Sec. 89. In every building of four stories or over, the use of what is known to the trade as "extra heavy pipe" shall be required for the sewer, soil and waste pipes, and the fittings to the same shall be "extra heavy." The vent pipes may be of the standard weight.

Sec. 89a. When either an old or a new two-story frame building or a brick building of any height is placed upon a lot which has an old sewer within the lines of any part of the foundation, said sewer must be replaced with cast-iron pipe run according to these rules and regulations.

Joints in Wrought Iron.

Sec. 90. All joints in wrought iron, soil or waste pipes shall be screwed up till the end of pipe touches or butts against shoulder of fittings.

Wiped Joints

Sec. 91. Joints in lead, waste or soil pipes must in all cases be wiped. Joints between lead and iron pipe must be made by means of cast brass soldering nipple or extra heavy brass ferrule the full size of iron pipe, and in all cases be wiped in a workmanlike manner.

Rubber Couplings.

Sec. 92. No rubber couplings or elbows will be allowed whatever. No soldering unions or slip joint connections will be allowed where concealed.

Coating of Pipe

Sec. 93. All cast or wrought iron pipes and fittings used for soil or waste pipes must be coated both outside and inside with coal tar pitch applied hot. Vent pipes must be of galvanized wrought iron.

Graded Fittings.

Sec. 94. When wrought iron pipe is used for waste, soil or sewer pipe, it shall be of the quality known as "standard" (thickness) and all changes of direction shall be made with Y, 1-16, 1-6 or 1-8 fittings, threaded on the inside and so constructed as to form a bore uniform with the pipe, without any burrs or recesses. All pipe must be properly reamed to remove burr. Only recessed, full bore sockets will be permitted. No ordinary plain socket or fitting allowed. Clean-out plugs shall have brass threads.

Lead Pipe Connections.

Sec. 95. When lead pipe is used, it must intersect at the same angles as given by Y's 1-16, 1-6 or 1-8 bends. Nothing lighter than D lead pipe shall be used.

No Flues for Sewer Ventilation.

Sec. 96. No brick, sheet metal or earthenware flue shall be used as a sewer ventilator; neither shall any chimney flue be used for this purpose.

Rainwater Leaders.

Sec. 97. No rainwater leaders shall be connected with the sewer, but must be led under the sidewalk to the gutter.

Fixtures to be Trapped.

Sec. 98. Every water closet, urinal, sink, basin, bath, set of wash trays, or other plumbing fixtures shall be separately and effectively trapped and ventilated. The traps must be placed as near to the fixtures as possible, and in no case more than two feet from the fixture. In no case shall the trap of one fixture connect with the trap of another. Neither shall any trap or waste pipe connect with any fresh air inlet.

Surface Drainage.

Sec. 99. No opening shall be provided in the sewer pipe of any building for the purpose of surface drainage.

Traps to be Ventilated.

Sec. 100. Traps must be protected from syphonage by special air pipes of lead, galvanized wrought iron, or cast iron, of a size not less than the trap they serve, and, if to supply air to a water closet, not less than two inches in diameter. At the end of all horizontal runs of vent

pipe, a screwed plug shall be placed, also at the bottom of all vertical vent lines where sediment is liable to collect, a suitable drip plug no less than one foot long shall be placed. If the plug is at the foot of a vertical concealed vent, then it shall be so placed as to admit of repairs. In no case shall these plugs and drips be of a size less than the vent they serve.

Vents.

Sec. 101. All air pipes shall run of undiminished size separately or combined through the roof and for one foot above, and left open, or they may be connected with the main vent at least one foot above the highest fixture. In no case shall they be allowed to be carried down from the fixture.

Vents, Continued.

Sec. 102. Ventilating pipes must be run with as few bends as possible and the branches must be connected to main vent at an angle of not more than forty-five degrees, and be increased in size every thirty feet. When combined, the vent pipes must be increased in size according to the following table:

In all buildings of four stories or less, branch vents of water closets shall not be of a size less than the following:

(The term "branch vent," as here applied shall be construed to mean all that vent pipe located between the fixture and the joint where the vent joins into the main vertical vent.)

Two water closets may be vented into a two-inch branch vent. Three to four water closets may be vented into a two and one-half inch vent. Five to eight water closets may be vented into a three-inch vent. Nine or more water closets may be vented into a four-inch vent. Single water closets, if the drop does not exceed ten feet, may be vented with a two-inch vent pipe for a distance of thirty feet; when the vent is longer than thirty feet, then the entire vent shall be two and one-half inch until the distance of sixty feet, when it shall be increased to three-inch to a finish. In all cases where the soil pipe has a drop greater than ten feet, then the soil pipe shall be continued full bore to a point one foot above roof and act as vent pipe.

Every water closet must be back vented from a point as near the floor line as possible, except when it is the highest fixture and located within two feet of the vertical soil pipe.

In all cases where there is a battery of closets, each closet shall be back vented according to these rules.

Two basins, baths, or similar fixtures may be vented through a one and one-half inch pipe; three to four, through two-inch pipe; four to six, through a two and one-half inch pipe; seven to fourteen, through a three-inch pipe. When more than fourteen, a four-inch vertical vent shall be required.

Manner of Venting.

Sec. 103. In each and every building to be used as a residence, or otherwise, and where the water closet or closets is or are situated either within the premises or within ten feet of the outside walls of said premises, then, in any and all cases, it shall be required that at least one four-inch vent pipe be continued to a point at least one foot above main roof, and this irrespective of what distance the soil pipe may drop. In all cases where vents branch into one another, the branch fittings must not be less than three feet and six inches above the floor level of the fixture or fixtures served. When one and one-half inch branch vents are used on fixtures; then the said branch vent shall not exceed five feet horizontally. Where, by architectural conditions, it is not practicable to comply strictly with these rules, and venting has to be done under the

floor and the available space is limited, then all rules shall be complied with as nearly as practicable. When a fixture or fixtures is or are located in a yard and it or they is or are ten or more feet from the main building, and the room in which the fixture is located is not connected with the main building, or used as a residence, then the fixture or fixtures, trap or traps, need not be vented.

Connecting Vents.

Sec. 104. Where vent pipes branch into one another, and where they branch into the main vent, the branch fitting must be at least three feet and six inches from the floor line.

Termination of Vents.

Sec. 105. No soil or vent pipe shall terminate at a point within ten feet of the bottom of any door, window, other opening, or house tank of main structure. When fixtures are located within kitchen extensions and similar places, or when a roof is used for yard purposes, or when an opening in the main building is to be guarded, then the ten-foot limit as pertains to the discharge of vent gases, shall be enforced and the vents must be either extended beyond the ten-foot limit or carried higher, as the case may demand; but when it is not practicable to otherwise prevent gases entering premises, then the vent's end shall be carried to a point not less than one foot above the line of the main roof.

No Caps or Cows, Etc.

Sec. 106. Every vertical soil, waste and vent pipe (unless otherwise provided for) must extend full bore to a point not less than one foot above roof and be continued to a point at least ten feet from any opening of the house or of an adjoining building. No caps or cows shall be affixed to the top of any ventilating pipe, though a strong wire basket may be affixed.

Traps.

Sec. 107. No traps shall be placed at the foot of any vertical soil or waste pipe. No fixture shall have a trap of less than one and one-half inches internal diameter. Bell traps are prohibited. A range of closets, or a range of urinals, may be served by one trap, provided the arrangement thereof receives the approval of the Board of Health.

Slop Hoppers and Sinks.

Sec. 108. Slop hoppers and sinks shall be of iron or glazed earthen. When set upon the floor, must be connected to the waste pipe with lead pipe wiped on to a brass ferrule, the same to be caulked with molten lead, or they may be connected with an approved iron or brass connection. No slop hoppers allowed inside any part of the building, but enameled iron or earthenware hoppers or scullery sinks may be placed upon a porch. All slop hoppers and scullery sinks shall be provided with suitable traps of not less than two inches internal diameter.

In all residences or buildings not of themselves connected with the sewer by a sink or other suitable receptacle for slops, dish water, etc., there shall be provided a slop hopper, of such material as is designated in this Ordinance, at some place on the premises.

Safe Wastes.

Sec. 109. Every safe waste under a bath, basin, tank, or other fixture, must be drained by a special pipe of lead, galvanized or tar-dipped pipe of a diameter not less than one inch bore, and in no case shall it be connected directly to any soil, drain, sewer or vent pipe, but made to discharge outside the building or be satisfactorily and indirectly connected.

Urinals.

Sec. 110. When urinals are placed in any public building, including all saloons, depots, halls, meeting places and other places where the public congregate for pleasure or otherwise, the floors must be covered with either glass, slate, or marble. Floor drains from urinals shall have an effective trap of at least two-inch diameter; the trap to be supplied with water drip.

No galvanized iron or other sheet metal trough urinals will be permitted. All urinals shall be supplied by automatic flushing tanks. All waste pipes from urinals, slop hoppers, wash basins, bath tubs, sinks, or other fixtures must connect direct with house drain, and be properly trapped and ventilated. (As amended by Ord. 530.)

Special Fixtures.

Sec. 111. Wastage discharging from dentists' cuspidors, and which connect with the plumbing system, must discharge into and connect with the said system by waste pipes, and be vented just as is required for wash basin. Wastage discharging from beer pumps, and which connect with the plumbing system, must be connected to and with said system through either a regular and properly connected branch fitting, or through a properly drilled and tapped orifice cut into the waste pipe to which the connection is made, and through a heavy brass male and female threaded nosing spud, the male thread of which is made sufficiently tapering to insure a tight joint. Water fillers, ice boxes, or refrigerators shall in no case be directly connected to or with the sewerage system, but they may be indirectly connected, provided the manner of connecting be approved by the Board of Health.

Steam Exhaust.

Sec. 112. No steam exhaust shall connect with any sewer, drain, soil or waste pipe. A steam condenser, however, may be permitted to receive the steam exhaust, and the condensation pipe be connected to the sewer system, provided all are done to the approval of the Board of Health.

Pipes Must be Tested.

Sec. 113. All sewers, drains, soil, waste and vent pipes, which are not of ironstone, must have all openings stopped, and be filled with water. The Board of Health shall have the right to demand such water or other test to ironstone pipes as it may deem necessary. When a system of plumbing has been tested in sections, then there shall be another test made after the various lines have been connected together, and this last test shall be with water pressure equal to a column ten feet above the lowest point of the sewer or drain located within the premises. The smoke or peppermint test shall be made at any time whenever demanded by the Board of Health, but the smoke test shall be made before final certificate is issued. The testing of a plumbing system must be made in the presence of the Plumbing Inspector, and if the test proves satisfactory to him he shall issue a proper certificate accordingly. In all cases notice must be given the Plumbing Inspector when the work is sufficiently advanced for inspection.

All of the provisions of the various paragraphs of this section shall apply to outside and inside pipes of the plumbing system of a building.

Testing.

Sec. 114. Immediately upon the completion of the plumbing system of a building, notice must be given the Plumbing Inspector to that effect, and the work must be ready for the final inspection of the Plumbing Inspector. The failure upon the part of a master plumber to make application for first or final inspection, or the violation of any of these rules of

the Board of Health as to the construction of plumbing work, and failure to correct faults after notification, shall be deemed sufficient cause to have his license suspended for such length of time as the Board of Health may deem proper. No master plumber shall construct or alter any system of plumbing during the period of his suspension.

Water Closets.

Sec. 115. Excepting Flushometer closets, all water closets within a building must be supplied from separate tanks or cisterns, the water of which shall not be used for any other purpose. A group of water closets may be supplied from one tank, but water closets located on different floors must not be supplied from one tank. Plunger, pan, common hopper, flush rim hopper, offset and front or back wash-out closets are strictly prohibited in any part of a building or premises; provided, that front or back wash-out closets now in use in the City of Fresno may remain, but under no circumstances to be permitted in new buildings or new premises erected hereafter. When water closets are supplied from tanks, the down or flush pipe shall in no case be less than one and one-quarter inches, inside diameter. When a water closet is connected to the soil pipe by and through a lead bend, then the outlet side of the bend must be properly wiped to a brass ferrule, and the ferrule be properly caulked into receiving hub. When a water closet is not connected to the soil pipe by a lead bend, then it may be connected by and through a lead pipe extension which shall be properly wiped to a heavy brass ferrule, and the ferrule be properly caulked into the receiving hub. When, under the two preceding paragraphs of this section, closets are connected by and through lead pipe, they shall be set in putty mixed with red lead and pure linseed oil. When water closets are connected otherwise, then the connection must be made with an approved adjustable and threaded, or threaded and caulked, floor flange connection. In no case shall either brass or iron sleeves be allowed.

Water Closets, (Cont.)

Sec. 116. When water closets are so constructed that the trap is a part of the closet, then they must be of all earthenware, or enameled iron, or a combination of these materials. All water closet receivers must be of either earthenware or of enameled iron no stone, cement, brick, wooden, or other porous substance will be permitted to be used. This shall apply to both single water closets and closets built in series of ranges. All closet floors shall have suitable floor joists so as to make solid foundation for closets. All closet tanks discharging through one and one-quarter inch flush pipe shall be at least five feet and six inches from the floor and more if possible.

Ratio of Water Closets.

Sec. 117. Each tenement, flat, and store must be provided with not less than one water closet. In all places of employment where men and women are employed, separate and sufficient water closets shall be provided for the males and females, as required by these rules and regulations. The water closets provided for males shall be plainly marked "Men's Toilet," and the water closets provided for women shall be plainly marked "Women's Toilet."

In all places of employment coming under Section 117, not less than one water closet shall be provided for every twenty-five males, or lesser number, and not less than one water-closet shall be provided for every twenty-five females, or lesser number; and these water closet facilities shall be provided upon at least every second story. Where there are employes in a basement, such basement shall be considered as being one story.

In lodging houses, or hotels, hereafter erected or altered, there shall be provided not less than one water closet for every twenty-five females or lesser number, and not less than one water closet for every twenty-five males or lesser number. The number of water closets required shall be determined from the number of lodging quarters provided in said lodging house or hotel. In all buildings used jointly for residence and business purposes, separate and sufficient water closets shall be provided for the use of families, employes, and patrons of the place.

Wooden Sinks or Wash Trays.

Sec. 118. No wooden sinks, or wooden wash trays, or zinc, or other sheet metal lined wooden sinks, baths, or wash trays, shall be allowed on the premises. All fixtures must be open to the free circulation of air and not enclosed so as to harbor vermin.

Ventilation of Rooms.

Sec. 119. Each and every compartment wherein a water closet, urinal or slop hopper, or scullery sink is situated, shall be ventilated by means of a window opening directly to the external atmosphere, or by means of an air shaft having an area of at least four square feet. The air shaft shall continue of undiminished size to the roof, and at this point its openings shall equal in area not less than that of the air shaft. No air shaft, or window ventilating either a water closet, urinal, slop hopper, or scullery sink compartment shall discharge into, or ventilate any other compartment whatsoever. The provisions of the preceding paragraph shall not prevent the enlargement of air shafts to a size suitable and adequate to ventilate a series of closets, urinals, slop hoppers, or scullery sink compartments. The requirements of this section shall not apply to a ventilating system of sufficient capacity to exhaust to above the roof all the air in the compartment or compartments, covered by Section 119, every ten minutes. In all cases covered by this Section, the manner and system of ventilating must meet with the approval of and be installed to the satisfaction of the Plumbing Inspector, and when an exhaust ventilating system is used under provisions of the preceding paragraph of this section, the plan of system shall be such as will meet with the approval of the Plumbing Inspector and of the City Engineer and City Fire Marshal, and the system must be installed to the satisfaction of said Plumbing Inspector and parties.

When a Building is Moved.

Sec. 120. When a building is moved and reconnected with the public sewer, the old fixtures and plumbing must be placed in a sanitary condition and must comply with the rules and regulations of this Ordinance.

When an addition is made to or in a building where new fixtures are to be put in the addition, and the old fixtures are to be altered and reset in the old portion of the building, then both the new fixtures to be put in and the old plumbing in the building must be put in a sanitary condition and comply with the provisions of this Ordinance.

Condemnation of a Building.

Sec. 121. Where a building has been inspected and the Plumbing work condemned by the Plumbing Inspector as being in an unsanitary condition, notice to that effect shall be given in writing by such inspector to the owner or agent of such building and such notice shall specify the character of the repairs or improvements that must be made. If the owner or agent objects to such condemnation or the repairs or improvements required to be made, he may within three days after such notice, appeal to the Board of Health from the decision of the Plumbing

Inspector. Such appeal shall be taken by filing with the Secretary of the Board of Health, and a copy with the Plumbing Inspector, a notice in writing stating his objections to such condemnation of the work, repairs or improvements ordered made, and a notice that he appeals to the Board of Health.

If an appeal is so taken by the agent or owner, the same shall be heard at the next regular meeting of said Board, or at a special meeting called for that purpose, notice of which shall be given to such owner or agent, and its decision shall be final and conclusive as to such condemnation, and as to repairs or improvements required.

When the plumbing in any building has been condemned as unsanitary and no appeal taken as herein provided, or if taken and the decision of the Plumbing Inspector is affirmed, if the plumbing has not been repaired or improvement made as required, or work to make such repairs or improvements has not been commenced in good faith within three days after such notice of condemnation, or affirmation on appeal, it shall be the duty of the Health Officer to post at some conspicuous place on said building one or more placards which shall be substantially as follows:

WARNING!

This building has been condemned as unsanitary and unfit for human habitation or occupancy, and it is unlawful for any person to reside in or occupy the same.

By order of Board of Health.

.....
Health Officer.

The wording "Warning" shall be printed in letters not less than one inch high, and the other portion shall be written or printed in plain legible type or writing. Such placard or placards shall remain on said building until the required repairs or improvements are made, and shall be removed only by the Health Officer or by his order, and it shall be unlawful for any other person to remove the same.

After a building has been placarded as condemned on account of unsanitary plumbing, and until the repairs and improvements required have been made, it shall be unlawful for any person to reside in or occupy the same either for business or residence purposes, or to let, rent or hire the same, or any part thereof, or to collect, receive or pay any rental therefor, or any part thereof whether as agent, owner, tenant, or otherwise.

Pipes Must not be Built into Walls.

Sec. 122. No soil, waste, leader or vent pipe of any kind shall be built into brick, stone or concrete walls; when necessary to conceal pipes of this class, they must be run in suitable reveals or recesses.

Registration.

Sec. 123. On and after the passage of this Ordinance, every plumber doing business in the City of Fresno shall register his name and address at the office of the Plumbing Inspector.

Bonds.

Sec. 124. Every master plumber, before he shall be allowed to register, shall give bonds to the State of California in the sum of Five Hundred Dollars, with two good and sufficient sureties for the faithful discharge of his duties as master plumber, which said bond shall be approved by and filed with the Board of Health.

Affidavit.

Sec. 125. Every person, firm or corporation engaging in the plumbing business after the passage of this Ordinance, shall appear in person or by duly authorized representatives at the office of the Plumbing Inspector and register his name and place of business, age, and nativity, the same to be subscribed and sworn to by the party making application, on blanks.

Qualification for Master Plumber.

Sec. 126. No person shall receive a license as a master plumber who has not attained the age of twenty-one years, and has an established place of business in the City of Fresno.

License.

Sec. 127. No license as a master plumber shall be granted for more than one year, or for the unexpired portion thereof. All licenses expire upon the first day of June of each year unless sooner revoked. Upon the expiration of the yearly license, every master plumber carrying on the business of plumbing shall be required, within thirty days, to be again registered and file a new bond, as provided for in sections 123, 124, and 125 of this Ordinance.

Examination.

Sec. 128. No license shall be granted to any person making application to become registered as a master or journeyman plumber unless said person shall have first passed a satisfactory examination by the Plumbing Inspector or a committee to be appointed by him, of his qualifications to conduct the business of master plumber or to practice his trade as a journeyman plumber.

Tests, Continued.

Sec. 129. Work must be ready for inspection when notice is sent to inspector. The failure on the part of a master plumber to make application for first and final inspections, or a violation of any of the rules of the Board of Health, in the construction of any plumbing work, or failure to correct the fault after notification, will be deemed sufficient cause to have his license suspended for such length of time as the Board of Health may deem proper. No master plumber shall construct or alter a system of plumbing during the time of his suspension.

Drawings of Drainage and Plumbing to be Filed.

Sec. 130. The drainage and plumbing of all buildings, both public and private hereafter erected in said City shall be executed in accordance with plans previously approved in writing by the Plumbing Inspector of said City; and suitable drawings and descriptions of the said drainage and plumbing shall, in each case be submitted to the Plumbing Inspector and placed on file in his office.

Sec. 131. No alterations or changes in the plumbing work or fixtures in any old or new building or buildings shall be done until application is made to the plumbing inspector and in accordance with the Ordinances of the Board of Trustees, and the rules and regulations of the Board of Health of said City.

The applicant must furnish plans and specifications for the work about to be altered or changed, and if found to be in accordance with the rules of the Board of Health a permit will be granted to do the work, subject to the approval of the plumbing inspector. This rule shall not be construed to include leaks, repairing faucets, breaks in pipes or stoppage of the same.

Sec. 132. It shall not be lawful for any plumber to practice his trade in the City of Fresno without first obtaining a certificate from the City Plumbing Inspector or the committee appointed by him. To obtain such certificate, it shall be necessary for all journeymen plumbers not registered, to pass a satisfactory examination before the Plumbing Inspector or the committee appointed by him, setting forth their ability to do work as journeymen plumbers.

Sec. 133. It shall be the duty of every licensed master plumber to display at his place of business outside thereof, a sign with his full registered name, and no other person than a registered plumber shall be allowed to display any such sign, carry on or engage in the business of plumbing, or make any connections with any sewer, drain, soil or waste pipe, or any pipe connected therewith, provided, however, that any competent sewer constructor whose competency has been certified to by the Plumbing Inspector, and a permit granted to him by such Plumbing Inspector, may lay any house sewer, upon his executing a bond to the State of California in the sum of \$500.00 with two sufficient sureties approved by the Board of Health, and filed with the Secretary thereof, but such permit shall not authorize such person to do any plumbing work; provided further, that any registered or licensed master or journeyman plumber, or person to whom permit is granted to lay house sewers, who shall refuse or neglect to comply with the regulations of the Board of Health or any City Ordinance relating thereto or who takes advantage thereof to charge unreasonable prices shall forfeit his license or permit and his registration shall be cancelled.

Sec. 134. Any licensed plumber who shall neglect or refuse to comply with these rules, shall have his license suspended or revoked.

Sec. 135. Members of the police force, constables, watchmen, the sheriff of the County and his deputies, are enjoined and all citizens generally are respectfully requested to give information to the Board of Health of any violation of any of the provisions of this ordinance, so that the sanitary laws providing for cleanliness and health of the City may be fully executed, and all offenders promptly punished.

Sec. 136. No person shall maintain any privy, privy vault or cess-pool within the City upon any premises adjoining a lateral sewer.

Sec. 137. Any person or corporation who shall maintain or permit upon their premises the maintenance of any nuisance specified which may not be so specified, or who shall violate or permit upon their premises the violation of any provision of this ordinance, or any person or corporation violating or willfully non-complying with any of the provisions of this ordinance is guilty of a misdemeanor, and upon conviction thereof shall be punished by fine not exceeding Three Hundred Dollars or imprisonment in the City or County Jail not exceeding ninety days, or by both such fine and imprisonment.

Sec. 138. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed, and ordinances 397 and 431 are hereby expressly repealed.

Sec. 139. This ordinance shall take effect and be in force from and after the date of its passage and approval.

ORDINANCE NO. 497.

In effect Dec. 7, 1905.

Entitled "An Ordinance concerning the erection and maintenance of safety gates, towers and gongs at certain railroad crossings in the City of Fresno, regulating the operation of such gates and gongs, and providing penalties for the violation of this ordinance."

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. All persons, firms or corporations owning, operating or controlling any steam railway engines or cars propelled by steam at any place within the limits of the City of Fresno are hereby required to erect and maintain safety gates at each side of the crossings of the tracks thereon where the said tracks cross the following streets:

Fresno, Mono, Ventura, Kern, Merced, Tuolumne, Tulare, Mariposa, Grant Ave., McKenzie Ave., Alice St., Inyo & S $\frac{1}{2}$ Belmont Ave. Streets, and also to erect and maintain for the operation of said gates towers at points on the different railroad reservations to be designated by the Superintendent of Streets; said gates to be so placed as to close completely across said Fresno, Mono, Ventura, Kern, Merced, Tuolumne, Tulare, Mariposa, Grant Ave., McKenzie Ave., Alice, Inyo & S $\frac{1}{2}$ Belmont Ave., Streets at points likewise to be designated by the Superintendent of Streets, provided that wherever any street hereinabove designated shall not be open across any railroad reservation in the City of Fresno, then gates shall not be required at such places. (As amended by Ord. 505.)

Sec. 2. The said gates shall be of a pattern to be approved by the Superintendent of Streets, and shall be so constructed as to be operated from the towers erected at the respective crossings; the said towers shall be of such height that the person operating the said gates may have an unobstructed view of all the tracks on said "Railroad Reservation" for at least 400 feet in either direction.

Sec. 3. All persons, firms and corporations required by this ordinance to erect and maintain such gates and towers shall station an operator in each of said towers, and shall keep said operator stationed therein continuously. It shall be the duty of said operator to observe the approach of all engines and cars upon the said tracks and to close the gates operated by him across the said crossings in advance of the passage of any engine or cars across or upon said crossings; and no person, firm or corporation described in Section one of this ordinance shall cause or permit any engine or car to pass either of the points, or go upon either of the said crossings mentioned in Section one hereof until the operator stationed in the tower at such crossings shall signal him or them that the gates at such crossings are closed; and no operator so stationed shall ever so signal while any vehicle is on the crossing on the said "Railroad Reservation" between the gates placed at such crossings; provided, however, that no such gate shall be closed except to permit the passage of a particular engine, car or train of cars, and that no such gate shall remain closed for a longer period of time than shall be necessary to permit the passage of the particular engine, car or train of cars for the passage of which such gate was closed; and provided, further, that for a continuous period of ten (10) minutes after the alarm of fire the said gates shall remain open and the said crossings be kept clear of all engines and cars.

Sec. 4. All persons, firms or corporations described in Section one of this ordinance, shall place and maintain on each of the said towers an electric gong of sufficiently loud tone to be heard plainly at the gates

at both sides of the respective crossings; and it shall be the duty of the operator stationed in the tower to cause the gong to be rung continuously for 10 seconds before and until the closing of the gates operated from the tower in which he is stationed.

Sec. 5. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding \$300, or by imprisonment not exceeding 90 days, or by both such fine and imprisonment.

ORDINANCE NO. 499.

In effect Jan. 15, 1906.

An Ordinance of the City of Fresno regulating the fire department and providing for the protection against fires.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. The Board of Trustees shall fix and determine the salaries or compensation to be paid to the assistants and all other employees of the department, and all officers and members of Volunteer Companies in the city shall serve without compensation. (See Sec. 234 Charter.)

Sec. 2. The orders, directions and resolutions of the Board of Police and Fire Commissioners shall in all matters relating to the Fire Department and its management and control, be paramount to the orders and directions of the Chief of Fire Department and all officers, members and employes in the Department.

Sec. 3. The Chief of the Fire Department subject to the supervision of the Board of Police and Fire Commissioners, shall have authority and control over the foreman or other governing officers elected by the companies, and such foreman and officers, members and employes as in the Fire Department shall be subject to the orders and directions of the Chief of the Fire Department, and they shall when on duty wear such uniform as may be prescribed by the Chief of the Fire Department, unless otherwise ordered by the Board of Police and Fire Commissioners. (See Sec. 235, 244 Charter.)

Sec. 4. The Chief of the Fire Department and his assistant by seniority, in his absence, shall have power and it is his duty to take charge of all fires which occur in this City and direct the managements of all fire companies therein in the extinguishment of the same, and to establish a cordon around the same so as to prevent the interference of crowds and idle and unnecessary persons at all fires. He shall, subject to the orders of the Board of Police and Fire Commissioners, have full control and general supervision of all fire apparatus at all times, inspect all hydrants and order drills of the firemen at such times as he may see proper. He must inquire into the cause of every fire occurring in the City and keep a record of the same and make a report thereof once in every three months to the Board of Police and Fire Commissioners. He shall enforce all fire ordinances, examine all buildings in progress of erection, report violation of ordinances relating to prevention or extinguishment of fires, institute prosecutions for the enforcement of ordinances when necessary, and perform such other duties as may by proper authority be imposed on him.

Sec. 5. Any person interfering with the Chief of the Fire Department, his assistant, or any firemen while in the lawful performance of

their duties, or who refuses or neglects to obey all lawful orders or requirements of the chief or assistants, is guilty of a misdemeanor, and upon conviction thereof shall be punished by fine of not more than fifty dollars, or by imprisonment in the City or County prison for not more than ten days, or by both such fine and imprisonment.

Sections 6, 7, 8 and 9 repealed by Ord. 607.

Sec. 10. No hay or straw, except in quantities required for ordinary business, shall be stored in any portion of the City unless enclosed and under secure cover; provided, that this section may be suspended by a permit from the Board of Trustees. ,

Sec. 11. It shall be the duty of the Chief of the Fire Department to notify any owner, or occupant, of any lot or premises to remove therefrom any rubbish or combustible material likely to become easily ignited, from such lot or premises, and in case such owner or occupant fails to do so within two days thereafter, such Chief shall remove the same at the expense of such owner or occupant and shall collect such expense. If not paid on demand, by suit therefor in the name of the City in the Recorder's Court, together with a penalty of \$10.00 to be paid into the general fund of the City.

Sec. 12. Every person who shall break, remove or injure any of the wires, parts, apparatus, appurtenances of the fire alarm telegraph of this City; and any person who shall disturb or in any manner interfere with any of such wires, parts, apparatus or appurtenances, shall be guilty of a misdemeanor; but nothing shall be so construed as to make punishable the doing of any of the above mentioned acts with the permission of the Chief Engineer of the Fire Department of this City. No person or persons shall place any wire or wires within six feet of any wires used or connected with the fire alarm telegraph of this City.

Sec. 13. Whenever it shall be necessary for any person in the pursuit of a lawful object to remove, interfere with or disturb any portion of the wires of the Fire Alarm Telegraph, he shall give or cause to be given to the Chief Engineer of the Fire Department a notice thereof, which notice shall be given at least four hours before it shall be necessary to remove, interfere with or disturb any portion of the wires of the fire alarm telegraph, and shall state the locality at which and the manner in which it shall be necessary to remove, disturb or interfere with the same; provided, that no such notice shall be given between the hours of four o'clock P. M. and eight A. M. If the Chief of the Fire Department shall not, within six hours after receiving such notice, take charge of and attend to such removal, interference or disturbance, he shall be deemed to have given permission to the person giving or causing to be given the notice aforesaid, and such person may proceed to take down and remove any portion of the wires of the said fire alarm telegraph; provided that no removal or taking down of any portion of said wires by any person or persons, other than under the orders of the Chief of the Fire Department, shall in any event take place between the hours of four P. M. and eight A. M.

Sec. 14. It shall be the duty of any person or persons taking or removing any portion of the wires of said fire alarm telegraph, under the provisions of the preceding section, forthwith to replace or repair any such wire or wires so taken down or removed, and to place the same in as good condition as the same was before being so taken down or removed.

Sec. 15. No person or persons shall make, or cause to be made, any

key or keys that will lock or unlock any box of the fire alarm telegraph, except under the regulations of the Fire Department.

Sec. 16. It is unlawful for any person to store any powder, dynamite, giant powder, cartridges, blasting powder, gun cotton or explosive substance in any form, or other dangerous or combustible material within the limits of this City, without the written permit of the Board of Trustees, designating the locality which shall not be nearer than two hundred feet to any other building; provided that it is lawful to store not more than fifty pounds of powder within the limits, if such powder be placed and kept in secure metallic cans or cases on the ground floor, and convenient to the front entrance to the building, in portable form, and kept so as to be readily handled and accessible, and plainly marked "powder" on top or sides of such cans or cases, such tops or sides to be kept exposed to view.

Sec. 17. It shall be the duty of any person or corporation supplying water to the City of Fresno and its inhabitants through hydrants located upon streets, alleys or public places in this City, whenever by reason of repairs or work, or from any cause, the water is turned off from any such hydrants, to notify the Fire Department of the City thereof, before the water is turned off, and the length of time such hydrant will remain without water. And in case of an alarm of fire in the City, it shall be the duty of such persons or corporation to turn into all the mains and hydrants all the water necessary or available if possible.

Sec. 18. In case such person or corporation be engaged in work upon any line of pipe necessitating the turning off of water, no such line of pipe shall be left open or empty during the night, or when work is not actually going on therein, and if any line of pipe be open at the time of quitting work, or when an alarm of fire is given, a cap or thimble shall immediately be placed closely over the mouth of such pipe, and the water be left in as far as possible for the use of the Fire Department. Any person, superintendent, foreman or agent having charge or control of any such pipe or hydrants, in doing or ordering work done in or upon the same, who shall violate any provision of this section shall be guilty of a misdemeanor, and, upon conviction thereof shall be fined not less than ten nor more than three hundred dollars.

Sec. 19. It is the duty, strictly enjoined upon each and every member of the Police Force of this City, to enforce, or cause to be enforced, every provision of the ordinances of this City, looking to protection against and preventing of fire and accident; and to cause to be prosecuted in the proper courts each and every violation thereof; and any such officers who shall knowingly and wilfully neglect or refuse to diligently prosecute any person violating any of such provisions, or who shall neglect or refuse to diligently investigate any alleged violation thereof which may come to his knowledge, is guilty of a misdemeanor.

Sec. 20. All steam engines and movable apparatus belonging to the Fire Department, the Chief of the Fire Department and the fire patrol, shall have the paramount right of way through all streets, alleys, places and courts of this City when running to a fire, and said apparatus, together with all other vehicles contiguous, excepting street cars, shall take and keep the right-hand side of the streets unless the same be obstructed, and all street cars in the vicinity of any such apparatus going to the fire shall retard and accelerate their speed as occasion may require, in order to give the apparatus of the Fire Department, the Chief of the Fire Department and the fire patrol the unobstructed use of the street for the time being.

Sec. 21. The wires of any telephones, electric light or telegraph line, when dead or abandoned, shall by their owners be immediately removed, and at no time shall a different system of such wires be maintained at a less distance than four feet from any other system wires.

Sections 22 to 43 repealed by Ord. 607.

Sec. 44. Subdivision 1. Each person making, using or having charge or control of shavings, hay, sacks, litter or other combustible waste or fragments, shall at the close of each day cause the same to be securely stored or disposed of so as to be safe from fire. In no case shall empty packages or other inflammable material be stored or allowed to remain upon the roof of any building.

Subdivision 2. All receptacles for ashes, waste, rags, paper or other substances liable by spontaneous combustion or otherwise to cause a fire, must be made of incombustible material. Such receptacles, if of metal shall not be lighter than No. 24 iron, and must have covers. Ashes shall not be placed in the same receptacle with any inflammable substance.

In no receptacle shall ashes be within two inches of any wood and in no case shall a wooden chute be used for the conveyance or deposit of ashes.

Subdivision 3. No spittoons shall be made of or filled with any combustible material.

Subdivision 4. In all cases where there are gratings or slatted openings in the sidewalk, or over any opening leading into the basement of a building, a wire netting of not over one-half inch mesh shall be placed beneath such grating or slats so as to prevent rubbish from falling through.

Sections 45, 46, 47 and 48 repealed by Ord. 607.

Sec. 49. The provisions of this ordinance shall apply to the owners of all buildings situated in the limits described in the various sections of this ordinance. Agents of said owners and the builders of all buildings in course of construction or repair within said limits, and any owner, agent, builder or person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine in any sum not less than \$25 nor more than \$100, or by imprisonment for any period not exceeding thirty days, or by both such fine and imprisonment; and the continuance and maintaining of such violation shall be deemed a new offense for each day on which same is so continued or maintained and shall be punished accordingly.

Sec. 50. The Chief of the Fire Department, Chief of Police and all police officers of the City of Fresno are directed to see that the provisions of this ordinance are in force and to that end are hereby empowered whenever any complaint shall be made to them, or either of them of the violation of any of the provisions of this ordinance, and they or either of them, have reasonable grounds to believe that any of the provisions of this ordinance are being violated by any person, to enter upon any premises or place, or go into any building about which complaint is made, or upon or in which they or either of them have reasonable grounds to believe that any of the provisions of this ordinance are being violated. And said officers are directed to make complaint in the Recorder's Court against any person violating any of the provisions of this ordinance.

Sec. 51. Ordinance No. 224 of the City of Fresno, together with all ordinances and parts of ordinances amendatory thereof, and ordinances 252, 288 and 324 of the said City of Fresno and all ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

ORDINANCE NO. 504.

In effect Feb. 6, 1906.

An Ordinance relating to and regulating tree planting on the sidewalks in the City of Fresno, and prescribing the duties of the Park Commissioners in relation thereto.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. No trees of any kind or description shall, after the passage of this ordinance, be planted upon any of the sidewalks within the corporate limits of the City of Fresno, except as is hereinafter provided.

Sec. 2. In order that the shade trees planted upon sidewalks in the City may be uniform, it shall be the duty of the Park Commissioners to prepare and keep in their office a map of the City of Fresno upon which they shall plainly designate the kind of trees to be planted upon each and every sidewalk (if any are planted thereupon) within the limits of the City of Fresno.

Sec. 3. No person or persons, society or corporation, shall at any time after the passage of this ordinance, plant or cause to be planted on any of the sidewalks or other places in the City of Fresno, outside of the property line, any tree or shrub without first obtaining therefor a permit from the Park Commissioners, or the Secretary of such Board.

Sec. 4. No permit shall be issued for the planting by any person or persons, firm, society, or corporation, at any place within the City of Fresno, outside of the property line, any tree or shrub which is of a different kind or variety from that designated upon the map for such sidewalk or place.

Sec. 5. The Park Commissioners shall cause to be kept in the office of the Secretary thereof a book of printed permits with stub attached, and when a permit is issued, the stub shall be filled out in conformity with the permit, and include thereon the name of the applicant, the date of its issuance, the location of such planting, the kind of trees to be planted, the distance between the trees so to be planted, and the distance from the curb or the property line where such trees shall be planted.

Sec. 6. No tree shall be removed from the sidewalk except by permit of the Park Commissioners; provided, however, that any tree or trees on any sidewalk in the City that are not of the kind designated by the Commissioners upon such map be removed at any time by the owner of the property in front of which said tree or trees are standing, in order to plant the kind of tree or trees recommended by the Commissioners and designated upon said map.

Sec. 7. The Commissioners shall not have the power to order the removal of any tree or trees now growing upon the sidewalks of the City of Fresno except they are dead or dying, or in such a condition as to be unsafe, or where they are so located as to obstruct travel on such sidewalk.

Sec. 8. Any person planting or removing trees or shrubs upon the sidewalks or other places in the City of Fresno, outside of the property lines, in violation of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding One Hundred Dollars, or by imprisonment in the County or City Jail not exceeding 30 days or by both such fine and imprisonment.

Sec. 9. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed, and this ordinance shall take effect and be in force immediately after its passage.

ORDINANCE NO. 528.

In effect Dec. 12, 1906.

An Ordinance relating and regulating the fees to be charged and collected by the Plumbing Inspector for services performed by him in the performance of his duty as such officer.

The Board of Trustees of the City of Fresno do ordain as follows:

First: It shall be the duty of the Plumbing Inspector to charge and collect as the fees of his office which he shall turn into the City Treasury on the first day of each month after same shall be collected those certain sums of money which are herein designated and set forth, to-wit:

For each permit issued the sum of fifty cents; for each sewer inspection the sum of One Dollar; for the inspection of plumbing including the first and final inspection as follows, to-wit:

For one fixture	\$1.50
For two fixtures	2.00
For three fixtures	2.50
For each additional fixture25

(As amended by Ordinance 556.)

Second: All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Third: This ordinance shall take effect and be in force from and after the date of its passage and approval.

ORDINANCE NO. 529.

In effect Dec. 18, 1906.

An Ordinance fixing and regulating the salary of the plumbing inspector of the City of Fresno.

The Board of Trustees of the City of Fresno do ordain as follows:

First: That the salary of the Plumbing Inspector of the City of Fresno shall be One Hundred and Twenty-five Dollars per month and shall be paid at the time and in the manner that other City Officials are paid.

Second: This ordinance shall take effect immediately upon and after its adoption.

Third: All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

ORDINANCE NO. 531.

In effect Nov. 21, 1906.

An ordinance relating to and fixing the salary of the meat and food inspector.

The Board of Trustees of the City of Fresno do ordain as follows:

First: The compensation to be allowed and paid to the Meat and Food Inspector shall be the sum of One Hundred Dollars (\$100.00) per month, same to be paid from the General Fund of the City of Fresno at the same time, and in the same manner, as the salaries of other appointees of said city are paid, which said sum of money per month shall be in full compensation for all horse and team hire and other traveling expenses, and for

all services performed or to be performed by him as such Meat and Food Inspector, and for all services and duties performed or to be performed by him in any other official capacity in which he may be authorized or required to act. (As amended by Ordinance 600.)

Second: All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Third: This ordinance shall take effect immediately upon and after its adoption.

ORDINANCE NO. 535.

In effect Jan. 22, 1907.

An Ordinance providing for the laying of artificial stone or cement sidewalks and the grading, paving or otherwise permanently improving any street alley or public place in the City of Fresno by private contract and for the regulation and control thereof.

The Board of Trustees of the City of Fresno do ordain as follows:

First: Whenever the Board of Trustees of the City of Fresno shall grant permission to any person, firm, company, or corporation, to grade, pave, sidewalk, or otherwise make any permanent improvements on the streets, alleys, or other public places of this City, by private contract, such person, firm, company, or corporation, shall immediately after permission shall have been granted therefor by this Board apply to the Superintendent of Streets for a permit to do such work, which said written permit from said Superintendent of Streets shall be obtained before any of the work sought to be done shall be commenced.

Second: Said person, firm, company, or corporation, to whom permission for such work shall be granted by the Board and also in writing by the Superintendent of Streets shall before commencement of the work for which permission has been granted enter into a written agreement between himself or the contractor doing the work for him, or them, and the Superintendent of Streets of the City of Fresno, in which said agreement the person, firm, company, or corporation or contractor shall agree to commence the work sought to be done for which permission is granted within ten days after the permit is issued and also agree therein to complete the same within such time as the Superintendent of Streets of the City of Fresno may designate, which shall of course be a reasonable time in all cases.

Third: For the purpose of this ordinance it is hereby made the duty of the Superintendent of Streets to have and prepare and keep in his office the necessary blanks for such permits, the necessary contracts and agreements provided for herein, and also a book in which a record shall be kept of all permits issued and agreements made.

Fourth: All work so done by private contract must be under the supervision and direction of the Superintendent of Streets or an inspector appointed by him and in all respects shall comply with the plans and profiles on file in the office of the City Engineer and specifications on file in the office of the City Clerk of the said City of Fresno.

Fifth: The person, firm, company, or corporation, or contractor doing such work for which such permit shall have been granted shall not collect from the property owners, his agent or assigns, any compensations for any part or portion of said work so done until all of the incidental expenses for surveying, inspecting, etc., have been paid, nor shall such compensations be collected until the Superintendent of

Streets of the City of Fresno shall have accepted the work in writing, which said acceptance shall be the only notice to the property owner that the work was done to the satisfaction of the City of Fresno through its Street Superintendent.

Sixth: For the violation of this ordinance the person, firm, company, or corporation, so violating the same shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than Ten Dollars (\$10.00) and not more than Three Hundred dollars (\$300.00); or by imprisonment in the City or County jail for not more than ninety (90) days; or by both such fine and imprisonment.

Seventh: All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Eighth: This ordinance shall take effect immediately upon and after its adoption.

ORDINANCE NO. 539.

In effect Mar. 25, 1907.

An Ordinance establishing the width of the sidewalk on Tulare street in the City of Fresno on the south side thereof from the easterly curb line of K street to the westerly curb line of Q street and on the north side thereof from the easterly curb line of M street to the westerly curb line of Q street.

The Board of Trustees of the City of Fresno do ordain as follows:

First: That the width of the sidewalk on Tulare street from the Easterly curb line of K street to the westerly curb line of Q street on the south side of said Tulare street shall be reduced to and is hereby established at the width of twelve feet, and the sidewalk on the north side of Tulare street from the easterly curb line of M street to the westerly curb line of Q street shall be reduced to and is hereby established to be in width twelve feet. The pitch of said sidewalk so reduced and established hereby shall be three and one-half inches rising from the curb to the inside edge of said sidewalk.

Second: The additional or extra two feet taken from the sidewalk as is in the last section referred to shall be taken in such a way that the regular curb line shall be removed on said Tulare street between the limits herein designated two feet closer to the present real property line than it now is, at which point the curb shall be established and the extra additional two feet removed therefrom on each side shall be added to the width of Tulare street between the points designated herein.

Third: All ordinances and parts of ordinances in conflict with this and especially that part of Section 4 of Ordinance No. 325, being Section 228 of the Charter and Ordinances of the City of Fresno, in conflict with this ordinance are hereby repealed.

Fourth: This ordinance shall take effect and be in force immediately upon and after its adoption.

ORDINANCE NO. 540.

In effect Apr. 4th, 1907.

An Ordinance changing the official grade of Angus street between Ventura avenue and Belmont avenue from its present grade and establishing and fixing the grade thereof between said Ventura avenue and Belmont avenue.

The Board of Trustees of the City of Fresno do ordain as follows:

First: That the grade to which and upon which Angus Street within the City of Fresno between Ventura Avenue and Belmont Avenue shall be built is as follows, to-wit:

At Ventura Avenue in the said City of Fresno, County of Fresno, State of California, where the said Angus Street intersects the said Ventura Avenue the grade thereof shall be 295.7 feet.

At the intersection with Mono Avenue the grade shall be 295.7 feet.

At the intersection with Inyo Avenue the grade shall be 296.3 feet.

At the intersection with Kern Avenue the grade shall be 297.6 feet.

At the intersection with Tulare Avenue the grade shall be 302 feet.

At the intersection with Iowa Avenue the grade shall be 304 feet.

At the intersection with Illinois Avenue the grade shall be 305 feet.

At the intersection with Nevada Avenue the grade shall be 305.5 feet.

At the intersection of McKenzie Avenue the grade shall be 303 feet.

At the intersection with Washington Avenue the grade shall be 300 feet.

At the intersection with Monroe Avenue the grade shall be 299.4 feet.

At the intersection with Belmont Avenue the grade shall be 300 feet.

Second: The altitude or elevation of the grade of said Angus street hereinabove referred to is based upon mean sea level levels and the grade herein established shall be the official grade of said Angus Street.

Third: The points at which the altitude, elevation or grade of said street shall be computed is at the curb corners of the intersections of said Angus Street with each and every street or avenue over which it crosses or with which it intersects.

Fourth: The grade of said Angus Street between the different points of intersection hereinbefore designated and set forth shall be at every point between the points hereinabove given on a regular, ordinary and mean grade from one point of intersection to the other closest point herein given.

Fifth: All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Sixth: This ordinance shall take effect and be in force immediately upon and after its adoption.

ORDINANCE NO. 544.

In effect May 24, 1907.

An Ordinance fixing the salary of the City Expert of the City of Fresno.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. The salary of the City Expert is hereby fixed at \$125 per month, payable in the same manner and at the same time as other city officials are paid.

Sec. 2. All ordinances or parts of ordinances in conflict with this are hereby repealed.

Sec. 3. This ordinance shall take effect and be in force immediately upon and after its passage.

ORDINANCE NO. 548.

In effect Aug. 21, 1907.

An Ordinance relating to and regulating the time and manner of sweeping on streets, alleyways, sidewalks, stairways, and other openings leading to the street, alleyways, sidewalks, and other public places in the City of Fresno.

The Board of Trustees of the City of Fresno do ordain as follows:

First: It shall be unlawful for any person, firm, company or corporation to sweep any of the paved streets in the City of Fresno either by hand, broom or machinery during the months of April, May, June, July, August, September and October, at any time except between the hours of 9:30 o'clock P. M. and 6:30 o'clock A. M. of any day in any such month, and between the hours of 9:00 o'clock P. M. and 7:00 o'clock A. M. of any day during any of the other months of the year.

Second: It shall also be unlawful for any person, firm, company or corporation to sweep any sidewalk, stairway, or other opening leading to the street or sidewalk within the business section of the City of Fresno, after the hour of 8:00 o'clock A. M.

Third: Each violation of this ordinance shall constitute a misdemeanor and upon conviction thereof the punishment shall be not to exceed thirty days in the City or County Jail or one hundred dollars fine, or both such fine and imprisonment.

Fourth: All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Fifth: This ordinance shall take effect and be in force immediately upon and after its adoption.

ORDINANCE NO. 554.

In effect Dec. 19, 1907.

An Ordinance creating a sewer farm fund for the City of Fresno.

The Board of Trustees of the City of Fresno do ordain as follows:

First: That there shall be and is hereby created a fund to be known hereafter as "The Sewer Farm Fund," into which said fund all moneys or other revenue raised or appropriated for the purpose of the improvements or maintenance of the sewer farm shall be by the Clerk and the Treasurer of the City of Fresno placed.

Second: It shall be the duty of the Clerk immediately upon the passage or adoption of this ordinance to place into the sewer farm fund all moneys now on hand which have been raised or set apart for that purpose and thereafter to draw his warrant upon and against the moneys deposited in such fund for the purpose of paying the indebtedness created in the improvements and maintenance of the sewer farm.

Third: All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Fourth: This ordinance shall take effect and be in force immediately upon and after its adoption.

ORDINANCE NO. 564.

In effect June 2nd, 1908.

An Ordinance declaring every Saturday from Twelve o'clock noon until Twelve o'clock midnight a legal holiday and authorizing the various officers of the City of Fresno to close their respective offices to the transaction of business on Saturdays between such hours.

The Board of Trustees of the City of Fresno do ordain as follows:

First: Every Saturday from twelve o'clock noon to twelve o'clock midnight is hereby declared to be as far as the transaction of business with the various officers of the City of Fresno in their respective offices a legal holiday.

Second: All, each and every officer of the City of Fresno are hereby authorized to close their respective offices as far as transaction of business with the City of Fresno is concerned every Saturday at twelve o'clock noon and keep the same closed until twelve o'clock midnight.

Third: All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Fourth: This ordinance shall take effect and be in force immediately upon and after its adoption.

ORDINANCE NO. 574.

In effect Jan. 5, 1909.

An Ordinance requiring all persons, firms, companies, or corporations, owning or operating street railways upon the streets in the city of Fresno to grade and pave that portion of the street between the tracks and two feet on each side of the tracks.

The Board of Trustees of the City of Fresno do ordain as follows:

First: All persons, firms, companies, or corporations owning or operating street railroads or railways upon the streets in the City of Fresno shall in the event the street upon which said street railway is located be paved, pave all of that part of said street between the tracks of the street railway and two feet each side thereof with the same materials, at the same time and under the same specifications as the street upon which said railway is located shall be paved.

Second: In the event the said person, firms, company or corporation operating such street railway or railroad shall refuse to comply with this ordinance with reference to the paving of that portion of the street required to be paved by it or them, then the Board of Trustees hereof shall cause the Clerk of the City of Fresno to certify a copy of the resolution of intention under which said street is to be paved and deliver the same to the person, firm, company or corporation whose duty it is to pave between the track and two feet each side thereof in which said notice the said person, firm, company or corporation whose duty it is to pave between the tracks and two feet each side thereof shall be given thirty days, or such other extension of time as the City Council may grant to the same, and in the event the said person, firm, company or corporation shall fail or refuse within said period of time given to do such paving, then it shall be lawful for the city council to do such work, improvement or pavement and charge the same to the company, person, firm or corporation whose duty it was to do the same.

Third: This ordinance shall be in effect and apply to every street

in the City of Fresno upon which the pavement may be laid, except where the same is laid under what is known as the Bonding Act passed by the Legislature of the State of California, at the session in 1893, and amended in 1899.

Fourth: This ordinance shall take effect and be in force immediately upon and after its adoption.

Fifth: All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

ORDINANCE NO. 585.

In effect April 20th, 1909.

An Ordinance establishing the official grade of the streets, sidewalks, alleys and public places, in and for Forthcamp Addition No. 2 to the City of Fresno.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. The official grade for the streets, sidewalks, alleys and public places in and for Forthcamp Addition No. 2 to the City of Fresno, shall be and is hereby established to be, in accordance with the profile thereof heretofore prepared by the City Engineer, of the City of Fresno, adopted by this Board, and ordered placed on file in the office of the city engineer of the City of Fresno, which said profile is based upon and governed by a granite bench mark, at the southeast corner of Tuolumne and J Streets in the City of Fresno, which said granite bench mark has an established elevation of 292.5 feet above sea level, and said profile of said streets, sidewalks, alleys and public places in said Forthcamp Addition as based upon said granite bench mark at the southeast corner of Tuolumne and J streets in the said City of Fresno, gives the grade for the curb at the intersection of Franklin and Yosemite Avenues in said Forthcamp Addition No. 2 an elevation of 291.2 feet above sea level, and the curb on "Coast Avenue" at the north line of Lot 15 in Block 3 of said Forthcamp Addition No. 2 an elevation of 291.8 feet above sea level, and such elevations at such places in said addition are hereby established as the official grade and elevation for said places in said addition.

Sec. 2. All other streets, sidewalks, alleys and public places in said addition shall be based upon such elevations at such intersections of such streets in said addition as is hereinabove set forth, in accordance with said plan or profile thereof this day adopted by this Board, and filed in the office of the City Engineer of the City of Fresno.

Sec. 3. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Sec. 4. This ordinance shall be in force and effect, immediately upon and after its adoption.

ORDINANCE NO. 586.

In effect June 8, 1909.

An Ordinance prohibiting the exposure of gambling tables or implements in a room barred or barricaded or protected in any manner to make it difficult of access or ingress to police officers. When three or more persons are present, or the visiting of a room barred or barricaded or protected in any manner to make it difficult of access or ingress to

police, in which gambling tables or implements are exhibited or exposed, when three or more persons are present.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. It shall be unlawful for any person within the limits of the City of Fresno to exhibit or expose to view in any barred or barricaded house or room, or in any place built or protected in a manner to make it difficult of access or ingress to police officers, when three or more persons are present, any cards, dice, dominoes, fan-tan table or layout, or any part of such layout, or any gambling implements whatsoever.

Sec. 2. It shall be unlawful for any person within the limits of the City of Fresno to visit or resort to any such barred or barricaded house or room or other place built or protected in a manner to make it difficult of access or ingress to police officers, where any cards, dice, dominoes, fan-tan table or layout, or any part of such layout, or any gambling implements whatsoever are exhibited or exposed to view when three or more persons are present.

Sec. 3. Every person who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed three hundred dollars, or by imprisonment in the County Jail for a period of not more than ninety days, or by both such fine and imprisonment.

Sec. 4. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Sec. 5. This ordinance shall take effect and be in force immediately on and after its passage.

ORDINANCE NO. 587.

In effect June 28, 1909.

An Ordinance to change and establish the width of sidewalks on certain portions of "I" Street in the City of Fresno.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. That the width of the sidewalk on the northeasterly side of "I" Street from the northwesterly curb line of Tuolumne Street to the southeasterly curb line of El Dorado Street in the City of Fresno, shall be increased to, and is established at, a width of fifteen feet, and the sidewalk on the southwesterly side of "I" Street from the northwesterly curb line of Tuolumne Street to the southeasterly curb line of El Dorado Street in said City shall be increased to, and is established at, the width of fifteen feet.

Sec. 2. The additional or extra foot added to the width of the sidewalk along the northeasterly side of said street shall be added in such a way as to establish the curb line on said side of said street one foot farther southwesterly than the same now is, and the additional or extra one foot added to the sidewalk on the southwesterly side of said street shall be added in such a way as to establish the curb line one foot farther northeasterly than the same now is; and the width of the roadway of said street (from curb line to curb line thereof) shall be and is hereby decreased in width to the extent of the two feet hereinabove designated.

Sec. 3. The pitch of said sidewalks, as so increased in width and established by this ordinance, shall be in the same proportion for such

increased width as is now required for sidewalks of lesser width in said city.

Sec. 4. This ordinance shall take effect and be in force immediately on and after its passage.

ORDINANCE NO. 594.

In effect June 10, 1909.

An Ordinance relating to hay markets and the keeping or storing of hay and straw within the fire limits of the City of Fresno.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. It shall be, and is hereby made, unlawful for any person, firm or corporation at any time to establish, conduct or maintain any hay market, or to have, keep or store any quantity of hay or straw of any kind on any premises or lots or parcels of land which are at such time within the fire limits of the City of Fresno, unless such hay or straw is kept or stored in an enclosed brick, stone, artificial stone or concrete building, or is kept in quantity not to exceed seventy-five tons within an enclosed livery barn, feed stable, or other enclosed building for the usual and ordinary use and consumption by animals kept therein.

Sec. 2. It shall be and is hereby made unlawful for any person, firm or corporation at any time occupying, controlling or owning any premises, lots or parcels of land which are at such time within the fire limits of the City of Fresno, knowingly to permit or suffer keeping, maintaining or conducting on such premises, lots or parcels of land, of any hay market, or the keeping or storing of any quantity of hay or straw of any kind thereon, unless such hay or straw is kept or stored in an enclosed brick, stone, artificial stone or concrete building, or is kept in quantity not to exceed seventy-five tons within an enclosed livery barn or feed stable or other enclosed building for the usual and ordinary use and consumption of animals kept therein.

Sec. 3. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars, or by imprisonment in the County Jail of the County of Fresno for a period not exceeding fifty days, or by both such fine and imprisonment.

Sec. 4. All ordinances and parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

Sec. 5. This ordinance shall take effect and be in force thirty days from and after its passage.

ORDINANCE NO. 595.

In effect Oct. 5, 1909.

An Ordinance relating to the alleys, streets and sidewalks in the City of Fresno, and making it unlawful to lease, let, charge or collect for any space or portion thereof.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. It shall be and is hereby made unlawful for any person or persons, firm, association or corporation (except the municipal cor-

poration of the City of Fresno) within the corporate limits of the City of Fresno to lease, let, charge or collect for any space in or portion of any alley or street or sidewalk of the City of Fresno, or to ask, demand or receive any money, property, check, credit or other representative of value for any consent or permission or pretended or purported consent or permission on his, their or its part that any such space or portion of any alley, street or sidewalk may be occupied or used by any other person or persons; or to ask, demand or receive any money, property, check, credit or other representative of value as a condition, or upon a promise or understanding, expressed or implied, that no complaint shall be made or caused to be made by such person, firm, association or corporation, to the Board of Trustees, or any other City official or officials of said City, or that no action shall be instituted, by reason of or on account of any such space or portion of any alley, street or sidewalk in said City being occupied or obstructed by any person or persons.

Sec. 2. In any action or proceedings instituted under or by reason of any violation of any of the terms of this ordinance, it shall be no defense that the money, property, check, credit or other representative of value so received or donated, was voluntarily given or paid by the person occupying or obstructing any such space or portion of any alley, street or sidewalk.

Sec. 3. It is hereby declared to be unlawful and fraudulent for any person, firm, association or corporation within the corporate limits of the City of Fresno to use, devise or operate in any manner whatsoever any trick, shift, artifice or pretense to evade, avoid or defeat any of the terms, conditions or provisions of this ordinance, or to escape or avoid any of the penalties in this ordinance provided, and every such trick, shift, device, artifice or pretense is hereby declared fraudulent and unlawful.

Sec. 4. Every person who shall violate any of the provisions of this ordinance, or do anything in this ordinance made or declared to be unlawful, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$50.00 nor more than \$300.00, or by imprisonment in the County Jail of the County of Fresno for a period of not less than 5 days nor more than 90 days, or by both such fine and imprisonment.

Sec. 5. This ordinance shall take effect and be in force immediately on and after its passage.

ORDINANCE NO. 597.

In effect Oct. 21, 1909.

An Ordinance relating to and regulating the appearance of minors on the public streets, avenues, alleys and other public places in the City of Fresno.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. That it is hereby made unlawful for any child under the age of twelve years, and not accompanied by its parent or guardian or other adult person having legal custody and control of said child to loiter, wander or stroll in or about any of the public streets, avenues, alleys or any public place in the City of Fresno at any time between the hours of 8 o'clock P. M. and 5 o'clock A. M. of the succeeding day, in or during the

months of October, November, December, January, February and March; or at any time between the hours of 9 o'clock P. M. and 5 o'clock of the succeeding day in or during the months of April, May, June, July, August and September.

Sec. 2. That it is hereby made unlawful for any parent, guardian or other person having legal care and custody of any child under the age of twelve years, to allow or permit such child or ward to loiter, wander or stroll in or about any public street, avenue, alley or other public place in the City of Fresno not accompanied by such parent, guardian or other person having legal care and custody of such child, at any time between the hours of 8 o'clock P. M. and 5 o'clock A. M. of the succeeding day, in or during the months of October, November, December, January, February and March; or at any time between the hours of 9 o'clock P. M. and 5 o'clock A. M. of the succeeding day in or during the months of April, May, June, July, August and September.

Sec. 3. That it is hereby made and declared to be the duty of every police officer of the City of Fresno to enforce or cause to be enforced each and all of the provisions of this ordinance. Any police officer finding or observing any child under the age of twelve years, not accompanied by its parent, guardian or other adult person having legal custody and control of such child, loitering, wandering or strolling about in any of the public streets, avenues, alleys or other public places in the City of Fresno contrary to or in violation of any of the provisions of this ordinance, shall place such child under arrest and shall take, or cause to be taken, or send, such child to its home or place of abode, or to its parent or guardian, and shall notify such parent, guardian, or person having legal custody and control of such child, to be and appear with said child at and before the Police Court of the City of Fresno on the next succeeding day at the hour of 10 o'clock A. M.; and it is hereby made the duty of such parent, guardian or person having the legal custody and control of such child to be and appear with said child at and before the Police Court of the City of Fresno at said time and place at which he or she is so notified, then and there to answer to any charge that may be pending or may have been placed against said parent or child under the provisions of this ordinance.

Sec. 4. That any officer named or designated in Section 607f of the Civil Code of the State of California is hereby authorized and empowered to enforce the provisions of this ordinance, and to make arrests for the violation of any of the provisions thereof; and for the enforcement of this ordinance each and all of such officers are hereby vested with all the power and authority of police officers of the City of Fresno.

Sec. 5. That every violation of this ordinance, or any of the terms or provisions thereof, shall constitute a misdemeanor, and every person found guilty of any such violation thereof shall be punished by a fine of not less than \$2.00 nor more than \$5.00, or by imprisonment in the County Jail of the County of Fresno for a term not exceeding five days, or by both such fine and imprisonment; provided, however, that the court or judge before whom any person is found guilty of violating any of the terms or provisions of this ordinance, may, for the first offense, in lieu of a fine or judgment of imprisonment, reprimand such person for his or her violation of this ordinance, and admonish him or her against any further violation thereof.

Sec. 6. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Sec. 7. This ordinance shall take effect and be in force immediately on and after its passage.

ORDINANCE NO. 598.

In effect Oct. 4, 1909.

An Ordinance regulating travel and traffic upon the streets and other public places of the City of Fresno.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. That the following terms, whenever used herein, except as otherwise specifically indicated, shall be defined to have and shall be held to include each of the meanings hereinbelow respectively set forth, and any such terms used in the singular number shall be held to include the plural:

Street: Every avenue, boulevard, highway, roadway, lane, alley, strip, path, square and place used by or laid out for the use of vehicles.

Curb: The lateral boundaries of that portion of the street designed or intended for the use of vehicles, whether marked by curbing, constructed of stone, cement, concrete or other material, or not so marked.

Vehicle: Every wagon, hack, coach, carriage, omnibus, pushcart, bicycle, tricycle, motor-cycle, automobile or other conveyance in whatever manner, or by whatever force of power the same may be driven, ridden or propelled, which is or may be used for or adapted to pleasure riding, or the transportation of passengers, baggage, merchandise or freight, upon and street; and every draft or riding animal, whether driven, ridden or led, excepting that an animal or animals attached to any such vehicle, shall with such vehicle, constitute one vehicle.

Business District: Those certain streets and portions of streets in the City of Fresno, described as follows: F, G, H, I, J, K and L Streets from Tuolumne Street to Mono Street, both inclusive; Tuolumne, Merced, Fresno, Mariposa, Tulare, Kern, Inyo and Mono Streets from F Street to L Street, both inclusive.

Sec. 2. That every person riding, driving, propelling or in charge of any vehicle upon any of the streets within the City of Fresno shall ride, drive or propel such vehicle upon such street in a careful manner and with due regard for the safety and convenience of pedestrians and all other vehicles upon such street.

Sec. 3. That every person riding, driving, propelling or in charge of any vehicle, upon meeting any other vehicle at any place upon any street within the City of Fresno, shall turn to the right, and on all occasions when it is practicable so to do, shall travel on the right side of such street, and as near the right-hand curb thereof as practicable.

Sec. 4. That every person riding, driving, propelling or in charge of any vehicle, shall, in overtaking any other vehicle upon any street within the City of Fresno, pass to the left of such vehicle, and the person in charge of such vehicle, being so overtaken and passed, shall give way to the right.

Sec. 5. That every person riding, driving, propelling or in charge of any vehicle moving slowly upon any street within the business district, shall keep such vehicle as close as practicable to the curb on the right, allowing more swiftly moving vehicles free passage on the left.

Sec. 6. That every person riding, driving, propelling or in charge of any vehicle upon any street in the City of Fresno, shall, before turning, stopping or changing the course of such vehicle, first see that there is sufficient space so that such movement can be made in safety, and shall

give a plainly visible or audible signal to persons in charge of vehicles behind him of his intention to make such movement.

Sec. 7. That every person riding, driving, propelling or in charge of any vehicle upon any street within the City of Fresno shall, in turning to the right into another street, turn the corner as near the right hand curb as practicable, but shall not drive upon or over such curb or any part of the sidewalk.

Sec. 8. That every person riding, driving, propelling or in charge of any vehicle upon any street within the City of Fresno shall, in turning to the left into another street, pass to the right of and beyond the center of the street intersection before turning.

Sec. 9. That any person riding, driving, propelling or in charge of any vehicle crossing from one side of any street to the other side thereof, in the business district of the City of Fresno, shall make such crossing by turning to the left so as to head in the same direction as the traffic on that side of the street toward which such crossing is made.

Sec. 10. That no person riding, driving, propelling or in charge of any vehicle shall stop the same upon any street in the business district of the City of Fresno with the left side of such vehicle toward or along the curb.

Sec. 11. That no person riding, driving, propelling or in charge of any vehicle shall stop the same upon any street within the City of Fresno, except as close to the curb as practicable; and in no case shall he stop or leave standing a vehicle with the outer wheel or wheels more than eight feet from the curb; provided, however, that this section shall not apply in case of emergency, or when such stop is made for the purpose of allowing another vehicle or pedestrian to cross his path.

Sec. 12. That no person riding, driving, propelling or in charge of any vehicle upon any street within the City of Fresno shall allow such vehicle to remain backed up to the curb, excepting where said vehicle is being actually loaded or unloaded.

Sec. 13. That every person riding, driving, propelling or in charge of any vehicle upon any street within the City of Fresno, shall keep such vehicle at least four feet from the running board or lowest step of any street car which is stopping for the purpose of taking on or discharging passengers; and if, by reason of the presence of vehicles at the place where such car is stopping, or by reason of the narrowness of the street, it is not possible to preserve such distance of four feet from such running board or lowest step, as herein prescribed, then such person shall stop such vehicle until such car shall have taken on or discharged its passengers and again started.

Sec. 14. That every person in charge of any horse, mule or other animal attached to a vehicle backed to the curb upon any street within the business district of the City of Fresno, shall turn such animal and keep the same turned at right angles to such vehicle and in the direction in which the traffic upon that side of the street is moving.

Sec. 15. That it shall be unlawful for any person to ride, drive, or propel any vehicle at the rate of speed greater than eight miles per hour upon or along any portion of the streets in the City of Fresno described in section one of this ordinance as the business district.

Sec. 16. That it shall be unlawful for any person to ride, drive or propel any vehicle at a rate of speed greater than fifteen miles per hour

on or along any street or portion of any street in the City of Fresno; provided, however, that on or along those certain streets, or portions of street, described in section one of this ordinance as the business district, the rate of speed shall not be greater than eight miles per hour as specified in section 15 hereof.

Sec. 17. It shall be unlawful for any person to ride, or drive any horse or other animal at a rate of speed faster than a walk, or to ride, drive, or propel any bicycle, tricycle, velocipede, motor-cycle, automobile, or other riding machine, or horseless vehicle, at the rate of speed greater than six miles per hour on turning a corner from one street into another or on going over, upon or across street crossings or street intersections, on any of the streets designated in section 1 of this ordinance as business district.

Sec. 18. That all carts, vehicles, boxes and other receptacles used for hauling or carrying dirt, sawdust, sand, gravel, oil, or other loose substance on or over any of the streets in the City of Fresno shall be sufficiently tight to prevent any sifting, leaking or spilling therefrom, and no dirt, sawdust, sand, gravel, oil, or other loose substance shall be hauled, carried or conveyed upon, along or over any of the streets of the City of Fresno, unless such dirt, sawdust, sand, gravel, oil or other substance is in a wagon bed, box or other receptacle sufficiently strong and tight to prevent any sifting, leaking or spilling therefrom; and no person while carrying, hauling or moving any dirt, sawdust, sand, gravel, oil or other loose substance, upon, along or over any of such dirt, sawdust, sand, gravel, oil or other substance to sift, leak, spill or go upon the pavement or street.

Sec. 19. That no person in charge of any vehicle shall leave the same, or allow the same to stand in any alley of the City of Fresno for a longer period of time than thirty minutes, nor shall any team, horse or other animal at any time be hitched or left standing in any such alley.

Sec. 20. It shall be unlawful for any person to throw, deposit or place on any street within the limits of the City of Fresno any nails, tacks, crockery, scrap iron, tin, wire, bottles, glass, thorns, or thorny clippings, or thorny branches of trees or bushes, or any other article or thing liable to cause the tire of any vehicle to become punctured.

Sec. 21. It shall be unlawful for any person to drive or propel any bicycle, tricycle, or velocipede, motor-cycle, automobile or other riding machine, or horseless vehicle, within the limits of the City of Fresno without having attached to such bicycle, tricycle, velocipede, motor-cycle, automobile or other riding machine, or horseless vehicle, a bell, gong or horn, in good working order, and sufficient to give warning of the approach of such vehicle to pedestrians and to riders or drivers of other vehicles, and to persons entering or leaving the street car. Said bell, gong or horn, shall be of such size only as may be necessary to give such warning, and shall not be sounded except when necessary to give such warning.

Sec. 22. That it shall be unlawful for any person having charge, custody or control of any horse, mule, pony or donkey to leave the same unattended and unsecured in any public street within the City of Fresno. A horse, mule, pony or donkey left unattended in any street shall be deemed to be unsecured within the meaning of this ordinance unless it shall be securely tied or hitched by chain, strap or rope fastened to its neck or bridle, and to a post or other permanent fastening, or by a chain, strap or rope fastened to its bridle and to a weight of not less than twenty pounds resting upon the ground, or in the case of one or two horses or mules harnessed to a wagon having a brake, by tightly setting the brake on said wagon, backing the horse, mule or team, so that the traces shall

be loose, pulling the lines taut, and securely fastening them to the wagon in such a manner that the wagon can be drawn only by means of the lines.

Sec. 23. That it shall be unlawful for any person to hitch or tie any horse, mule, or donkey or other animal to any shade or ornamental tree in any street, park or public place in the City of Fresno, or to hitch or tie any such animal or allow the same to stand near enough to any shade or ornamental tree so as to permit or enable such animal to injure or destroy the same.

Sec. 24. That it shall be unlawful for any person to feed any horse, mule, or other animal upon any street within the business district of the City of Fresno, unless such horse, mule, or other animal shall be securely tied or hitched by a chain, strap or rope fastened to its neck, bridle or halter, and to a post or other permanent fastening.

Sec. 25. That it shall be unlawful for any person wilfully to stop, drive or propel any vehicle along or across any street, railway or inter-urban railway track in such manner as unnecessarily to hinder, delay or obstruct the movement of any car traveling upon such track; provided, however, that vehicles of the Fire and Police Department of the City of Fresno and hospital ambulances shall have the right of way when in service or responding to call.

Sec. 26. That any person who shall violate any provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine not exceeding \$100.00, or by imprisonment in the County Jail of the County of Fresno for a period not exceeding 50 days, or by both such fine and imprisonment.

Sec. 27. That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

Sec. 28. That this ordinance shall take effect and be in force immediately on and after its passage.

ORDINANCE NO. 601.

In effect Dec. 8, 1909.

An Ordinance for police regulation, relating to places where spirituous, vinous, malt, mixed, fermented, distilled, alcoholic, or any intoxicating liquors may, under certain conditions and restrictions be sold, served, furnished or given away in the City of Fresno; providing for a license tax thereon, and for the collection of such license tax; forbidding and making unlawful the opening, keeping, conducting or carrying on of any place where any of such liquors are sold, served, furnished or given away, and the sale, serving, furnishing or giving away of any of such liquors, except at the places, in the manner, upon the conditions, and under the restrictions in this ordinance specified; providing penalties for the violation of the terms of this ordinance and for the recovery of such penalties, and repealing all ordinances in conflict herewith.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. It shall be and is hereby made unlawful for any person or persons, firm, corporation, club or association, either as owner, principal, agent, servant, employee or otherwise, to establish, conduct or keep a place, within the corporate limits of the City of Fresno, where spirituous, vinous, malt, mixed, fermented, distilled, alcoholic, or any intoxicating liquors are sold, served, furnished or given away, or allowed to be drunk,

except in the manner and upon the conditions and under the restrictions hereinafter specified.

Sec. 2. It shall be and is hereby made unlawful for any person or persons, firm, corporation, club or association, either as owner, principal, agent, servant, employee, or otherwise, to sell, furnish, serve or give away, or in any manner dispose of, either directly or indirectly, to any person or persons, any spirituous, vinous, malt, mixed, fermented, distilled, alcoholic, or any intoxicating liquors, within the corporate limits of the City of Fresno, without first obtaining and having the permission and a license therefor as in this ordinance hereinafter specified.

Sec. 3. No license to sell, furnish, serve or give away any spirituous, vinous, malt, mixed, fermented, distilled, alcoholic, or any intoxicating liquors of any kind, within the corporate limits of the City of Fresno shall be issued to any person or persons, firm, corporation, club or association except upon a permit previously granted by resolution of the Board of Trustees of said City duly passed and entered upon the minutes of said Board, authorizing the issuing of such license, and specifying the kind of liquor license that shall be issued thereunder, and the location where such liquor may be sold; and no permits for liquor licenses shall be granted nor liquor licenses issued other than those in this ordinance specified and provided for.

Sec. 4. For the purpose of this ordinance liquor license are hereby classified as follows: Retail Liquor License, Wholesale Liquor License, Class A Restaurant Liquor License, Class B Restaurant Liquor License, and Club Liquor License.

Sec. 5. For the purposes of this ordinance a retail liquor establishment is defined to be any place where spirituous, malt, or fermented liquors or wines, or mixed intoxicating liquors are sold, served or given away in quantities of less than one-fifth of a gallon to be drunk either upon the premises or elsewhere.

Any person, firm or corporation, who, either as owner, agent, lessee or otherwise, conducts or carries on a retail liquor establishment as herein defined, is for the purposes of this ordinance declared to be carrying on the business of a retail liquor dealer.

Sec. 6. For the purposes of this ordinance a wholesale liquor establishment is defined to be a place where spirituous, malt, or fermented liquors or wines, or mixed intoxicating liquors, are sold, served or given away in quantities of not less than one-fifth of a gallon, and where such liquors are sold, served or given away, not to be and which are not drunk upon the premises where so sold, served or given away; and every person who as owner, agent or otherwise conducts or carries on, or assists in conducting or carrying on, any such place or establishment, the same being conducted and carried on exclusively, or in connection with or as a part of, or department or branch of any other business or occupation, is for the purposes of this ordinance declared to be carrying on the business of a wholesale liquor dealer.

Sec. 7. Neither sections 5 nor 6 of this ordinance, nor the definitions given or contained therein, shall apply to the sale by any registered pharmacist under the laws of this state of liquor for medicinal purposes, or mechanical or scientific uses, nor to the sale or serving of liquors in restaurants and clubs in the manner and under the restrictions in this ordinance hereafter set forth.

Sec. 8. For the purposes of this ordinance a restaurant is defined to be a place fully equipped with modern conveniences for cooking and pre-

paring victuals, and where hot meals are actually served three times a day, and at least six days in the week, and a bone fide meal is defined to be a meal of such quantity and quality of food as is ordinarily served for a meal in hotels or restaurants. Merely sandwiches, or lunches, or crackers and cheese, or either thereof, shall not be held nor considered to be a bona fide meal within the provisions of this ordinance.

Sec. 9. Whenever any person desires to open, keep or conduct a wholesale or retail liquor establishment in the City of Fresno, or engage in the business thereof, such person shall make an application in writing to the Board of Trustees of said city for permission to obtain a liquor license, and said application shall contain and set forth the following:

(a) The name and residence of the applicant or applicants, and how long he or they have resided in the City of Fresno.

(b) The kind of license desired (whether a wholesale liquor license or a retail liquor license), and the particular place for which such license is desired, and the name of the owner of the premises.

(c) That the applicant or applicants are the only persons interested in the business asked to be licensed, and that no other person or persons shall in any way be interested therein during the continuance of the permission.

(d) Whether or not the applicant or applicants have had a permission for a license for the sale of liquor in said City of Fresno, or in any other city or county, revoked during any time preceding his or their application, and if so the cause of such revocation.

(e) A statement that if such permit is granted and license issued, same shall be accepted by applicant subject to the terms and provisions of this ordinance and to such other rules and regulations as may at any time be adopted or enacted by the Board of Trustees of said city.

(f) Said application must be verified by the applicant or applicants therefor.

Sec. 10. There shall be filed with said application for a permit for a wholesale or retail liquor license, a written recommendation setting forth that the applicant or applicants (or if the applicant is a corporation, that its manager and the persons composing its Board of Directors), are persons of good, moral character, and are sober and suitable persons to conduct such business, and that such place of business is in a suitable, respectable and proper locality for conducting the business agreeably to social order and due police regulations of the city; which recommendation must be signed by not less than ten respectable residents of said city, (none of whom shall be officers or employees of said city) owning or occupying property in the immediate vicinity of such proposed establishment, giving their residences or places of business and occupations.

Sec. 11. Upon receiving such application and recommendation for a permit for a wholesale or retail liquor license, the Board of Trustees may refer the matter to the Chief of Police, and Mayor, for investigation as to the moral character of the applicant, whether he is a sober and suitable person to keep and conduct such a place, and whether such place is a suitable and proper place for conducting such business, and they shall then report to the Board of Trustees at the next meeting. Upon such report being made, and after such investigation as may have been made by the members of the Board of Trustees, or upon the hearing of any remonstrance made to the application, the Board of Trustees may, in its discretion, by resolution, grant a permit for such wholesale or retail liquor license, and order the Clerk and the License Collector to issue such license; but if the Board, upon such report, investigation or hearing for

any reason, or in its discretion, shall determine that such permit should not be granted or such license issued, it shall deny the application, and no permit shall be granted or license issued.

Sec. 12. A permit for a retail liquor license and such license shall not authorize or allow the sale of any of the liquors in this ordinance specified other than in the manner and under the conditions and restrictions hereinbefore and hereinafter specified in a retail liquor establishment at the premises for which the permit for such license was granted; provided, however, that such retail liquor license shall entitle the licensee at the same place of business and as a part of the same business to carry on a wholesale liquor establishment.

Sec. 13. A permit for a wholesale liquor license and such license shall not authorize or allow the sale of any of the liquors in this ordinance specified other than in the manner hereinbefore and hereinafter specified in a wholesale liquor establishment at the premises for which the permit for a license was granted. And it is hereby declared fraudulent and unlawful for any person, firm, corporation or association holding such license, (unless the person or persons, firm or corporation having such wholesale liquor license and carrying on the business of a wholesale liquor dealer at said premises has obtained a permit for and had issued to him, and holds, a retail liquor license) to suffer or permit or allow any such liquors to be drunk on the premises, or in any room or place connected therewith, or under the same control, where sold, served, or given away; and it shall be no defense that such act was done, suffered, allowed or permitted by an agent, servant or employee of such licensee.

Sec. 14. No liquor license shall authorize or allow the holder thereof to sell, serve or give away any liquors at any time other than between the hours of six o'clock A. M. and twelve o'clock midnight of the days from Monday to Saturday, both inclusive, of each week; and it shall be and is hereby made unlawful to sell, serve or give away, any spirituous, malt, or fermented liquors or wines or mixed intoxicating liquors, in any establishment, saloon, tippling house, sample room, bar room, drinking place, restaurant, hotel, club, club room or drug store, at any time between the hours of twelve o'clock midnight on Saturday and six o'clock A. M. of the next succeeding Monday, and on any day or days of the week between the hours of twelve o'clock midnight and six o'clock A. M. of the succeeding day.

Provided, however, that the foregoing provisions shall not apply to the sale by druggists of such liquors for medical purposes, upon the prescription in writing of a licensed physician, nor to the sale by such druggists of pure alcohol for medical, mechanical or scientific uses.

Section 15. The owner, proprietor, manager, or other person having charge or control of any establishment, saloon, tippling house, sample room, bar room or other place where spirituous, malt, or fermented liquors or wines, or mixed intoxicating liquors, are sold, served or given away, either at wholesale or retail, excepting restaurants, drug stores and clubs, shall securely close and lock all entrances to and exits from any such place, or cause the same to be so closed and locked, and keep the same in such condition, against the entry or exit of all persons other than the owner, proprietor or manager thereof, or the servants regularly employed in or about the same, at all times, between the hours of twelve o'clock midnight on Saturday and six o'clock A. M. of the Monday next succeeding, and at all times between the hours from twelve o'clock midnight to six o'clock A. M. of each and all days of the week.

It shall be and is hereby made unlawful for the owner, proprietor, man-

ager or other person having charge or control of any establishment, saloon, tippling house, sample room, bar room or other place where spirituous, malt, vinous or mixed intoxicating liquors are sold, served or given away, either at wholesale or retail, excepting restaurants, drug stores and clubs, to permit any person other than the servants regularly employed in or about the same, to enter, remain or be therein between the hours during the times in this section hereinabove mentioned; or to remove or carry out or suffer to be removed or taken from said premises any spirituous, malt, or fermented liquors or wines, or mixed intoxicating liquors.

Sec. 16. No serving or partaking of what is commonly known as a "free lunch" shall be allowed or permitted in any retail liquor establishment; and any person having a retail liquor license who serves or furnishes or suffers to be served or furnished any free lunch in his establishment or place where liquors are sold, served or given away, shall thereby immediately forfeit his liquor license.

Sec. 17. Whenever any person desires to conduct or carry on the business of a hotel, restaurant or boarding house and to sell or serve any of the liquors in this ordinance hereinabove designated at any such hotel, restaurant or boarding house, same to be there sold, and served, with and as a part of a regular bona fide meal sold and consumed between the hours of six o'clock A. M. and twelve o'clock midnight, he shall make an application in writing to the Board of Trustees of the City of Fresno for permission to obtain a restaurant liquor license, and shall set forth the class of such restaurant liquor license desired. If only beer or other malt liquor or wine is to be sold or served, he shall apply for a Class A Restaurant Liquor License. If he desires to so sell and serve any mixed liquors or any intoxicating liquors other than or in addition to beer or other malt liquor or wine, he shall apply for a permit for a Class B Restaurant Liquor License.

Sec. 18. Said application for a permit for a restaurant liquor license shall be signed and verified by the applicant and filed with the City Clerk, and shall set forth the following: The particular place, including street and number, where such restaurant business is to be conducted; that the applicant is lawfully and in good faith engaged or is about to become engaged personally in the restaurant business as the proprietor or manager thereof, at the place designated in his petition; that he desires to obtain a permit for a restaurant liquor license, naming the class thereof, and that he will not violate or evade, nor allow any of his clerks, servants, agents or employees to violate or evade any ordinance of said city relating to the sale of intoxicating liquors; and that if a permit is granted or a license issued, same shall be accepted by applicant subject to the terms and provisions of this ordinance and to such other rules and regulations as may at any time be adopted or enacted by the Board of Trustees of said city.

Sec. 19. Upon the filing of such application for a permit for a restaurant liquor license the Board of Trustees may refer the matter to the Chief of Police and Mayor for investigation as to the moral character of the applicant and whether he is a suitable person to be granted a permit for a restaurant liquor license, and whether he is conducting or intends to conduct a restaurant in good faith, and whether such place is a suitable locality for such license and the sale of liquor thereunder. Upon such report being made, and after such investigation as may have been made by the members of the Board of Trustees, or upon the hearing of any remonstrance made to the application, the Board of Trustees may, in its discretion, by resolution, grant a permit to such applicant for such restaurant liquor license, designating the class thereof, and order the

Clerk and License Collector to issue such license; but if the Board of Trustees, upon such report, investigation or hearing, for any reason or in its discretion, shall determine that such permit should not be granted or such license issued, it shall deny the application, and no permit shall be granted or restaurant liquor license issued.

Sec. 20. Such permit for a Class A Restaurant Liquor License and such license shall not authorize nor allow the person receiving same to sell or serve any intoxicating liquor whatsoever other than beer and other malt liquor and wine, and as a part of a regular bona fide meal at the restaurant, hotel or boarding house designated in said permit.

Such permit for a Class B Restaurant Liquor License and such license shall not authorize nor allow the person receiving the same to sell or serve any intoxicating liquors whatsoever other than as a part of a regular bona fide meal at the restaurant, hotel or boarding house designated in said permit.

No permit for a restaurant liquor license nor any such license shall authorize or allow the person receiving or holding same to sell, serve or give away intoxicating liquors at any time other than between the hours of six o'clock A. M. and twelve o'clock midnight of the days from Monday to Saturday, both inclusive, of each week, nor at any time, place or manner except as in this ordinance specified.

Sec. 21. No restaurant or eating house within the City of Fresno in which wines, liquors, beers or other spirituous, malt, fermented or intoxicating liquors of any kind are served with meals or refreshments shall have connected therewith or use in connection therewith any apartment, room, booth or curtained off place in which there shall be any bed, sofa, lounge, couch, divan, cot, bench or other place for lying down; and no booth, box or compartment in any restaurant or eating house shall have any means of ingress other than from the inner part of the main room, nor shall it have any door next to the inner part of the main room, but over the opening therein, curtains may be used; all partition walls between any booth, box, room or curtained off place, and the main room, shall be removed and kept removed in such a way that the entrance to and egress from all such apartments, booths, boxes or curtained off places shall be through or into the main dining room of such restaurant or eating house.

Sec. 22. Whenever a number of persons have associated themselves together for social purposes in what is commonly known as a club, or for any purpose where pecuniary profit is not their object, and for which individuals may lawfully associate themselves, whether incorporated or otherwise, and have club rooms or apartments where only the members and their invited guests may meet, and such association desires to keep or have on hand intoxicating liquors to be served only to the members thereof and their invited guests, and such service to be merely incidental to (and not one of) the objects or purposes of the association, such association may present an application for a Club Liquor License to the Board of Trustees of the City of Fresno, which application shall be verified by the president or other presiding officer of the association or the secretary thereof, and shall contain and set forth the following: The particular place, including street and number, where the club rooms are situate; the purposes for which the association or club is formed and whether incorporated or unincorporated; that said association will not, nor shall any of the members thereof, or its agents, servants or employees, in or about the club rooms, violate any ordinance of said city relating to the sale of intoxicating liquors; that no gambling is or shall be carried on or permitted in or about said club rooms; that no liquor shall be sold, or given

away, at said club rooms except to the members of the club or association, and that no liquor shall be served or allowed to be consumed or taken by any person except such member or members, or persons who are then and there present with a member or members as invited guests; the names of all of the persons who are members of the club or association, (provided, however, that when the membership is large, the application in lieu of stating the names of all of the persons who are members may set forth the names of twenty persons who are members thereof); and that if a permit is granted and a license issued, same shall be accepted by applicant subject to the terms and provisions of this ordinance and to such other rules and regulations as may at any time be adopted or enacted by the Board of Trustees of said City.

Sec. 23. Said application for a permit for a Club Liquor License shall also be accompanied by and have attached to it a certificate signed by ten respectable residents of said city setting forth that they have knowledge of said association or club and of its purposes, and that they verily believe that no gambling is or will be carried on or permitted in or about said club rooms; and that in the opinion of such signers such association may properly be intrusted with a Club Liquor License.

Sec. 24. Upon the filing of such application for a permit for a Club Liquors License and said certificate, the Board of Trustees may refer the matter to the Chief of Police and Mayor for investigation, and after investigation they shall report to the Board of Trustees at their next meeting. Upon such report being made, and after such investigation as may have been made by the members of the Board of Trustees, or upon the hearing of any remonstrance made to the application, the Board of Trustees may, in its discretion, by resolution grant a permit to such association or club for such Club Liquor License and order the Clerk and License Collector to issue such license; but if the Board, upon such report, investigation or hearing, for any reason, or in its discretion, shall determine that such permit should not be granted or such license issued, it shall deny the application and no permit shall be granted or license issued.

Sec. 25. Such permit and such Club Liquor License shall not authorize or allow the sale, furnishing, serving or giving away of any of the liquors in this ordinance specified other than between the hours from six o'clock A. M. to twelve o'clock midnight of the days from Monday to Saturday, both inclusive, of each week, in the club rooms or apartments at and for which the permit for a license was granted, nor to any person or persons other than the members of such association, or to the member or members of the association for himself or themselves and his or their guests therein.

Sec. 26. No intoxicating liquors shall at any time be served to any person in any club, or under a Club Liquor License, unless the name of such person appears as a member upon the records of such association or club, or his name appears as an invited guest on the register of guests or visitors at said club. Each club or association to which a Club Liquor License is issued shall keep a book containing the names of all of its members, and a register in which shall be entered each day the names of all visitors or guests, and the name of the member inviting or accompanying such visitors or guests. Such books and registers shall at all times be open for inspection and subject to the inspection of the Chief of Police, the City Attorney, any member of the Board of Trustees, and to any one designated by said Board.

Sec. 27. When an applicant for a permit for a liquor license is a corporation or association, the application may be verified by its president,

secretary or manager; and in addition to the matters and things by this ordinance hereinbefore required to be set out in the application, there shall be set forth the name of the person who shall have the management of its business for which or in connection with which a liquor license is desired, and the names of the persons composing its Board of Directors.

Sec. 28. No permit for a liquor license of any kind shall be granted at the same meeting of the Board of Trustees at which the application is presented, except by the affirmative vote of at least six of the members of the Board of Trustees; provided, that if the application is for a removal or transfer, the Board of Trustees may grant a temporary permit, revocable at the pleasure of the Board, and if such license is granted, it shall be dated and commence to run as though issued on the date of the temporary permit. When an application for a liquor license has been filed with the City Clerk, any person or persons desiring so to do may object to the granting of any such permit or the issuance of such license by filing a written remonstrance at any time prior to the final action of the Board on such application. When a remonstrance has been filed, no permit for a license shall be granted by the Board until such remonstrance has been heard and determined.

Sec. 29. The liquor licenses provided for in this ordinance shall when issued be issued for a quarter of a year and for the quarters ending on the 1st day of January, April, July and October; provided, that a person receiving a permit to take out a license under the provisions of this ordinance after the beginning of any quarter shall only pay a pro rata amount of said sum for the balance of the time to the end of the quarter.

Sec. 30. The rates for the liquor licenses provided for in this ordinance shall be and the same are hereby fixed and established and the same shall be paid by all persons receiving such licenses, respectively, as follows:

For a Retail Liquor License the sum of \$200.00 per quarter.

For a Wholesale Liquor License the sum of \$75.00 per quarter.

For a Class A Restaurant Liquor License the sum of \$50.00 per quarter.

For a Class B Restaurant Liquor License the sum of \$100.00 per quarter.

For a Club Liquor License the sum of \$25.00 per quarter.

The Restaurant Liquor Licenses shall be and are in addition to the regular restaurant, hotel or boarding house license, now or that may hereafter be required by any ordinance of the City of Fresno.

No liquor license shall be issued for any quarter until the payment for such quarter has been made.

Sec. 31. It shall be and is hereby made unlawful for any person owning, or in charge of, or employed in, any drug store, to sell, serve or give away therein any spirituous, malt, or fermented liquors or wines, or mixed intoxicating liquors; provided, however, that this prohibition and the provisions of section 2 of this ordinance shall not apply to the sale or giving away therein by a druggist or druggist's clerk, entitled to practice pharmacy under the laws of the State of California, of pure alcohol (with or without a physician's prescription) for medicinal, mechanical or scientific uses; nor to the sale or giving away therein by such druggist or such clerk, of spirituous, malt or fermented liquors or wines, or mixed intoxicating liquors (not to be consumed, and which are not consumed, upon the premises where sold), for medicinal purposes upon the written prescription of a practicing physician (other than such druggist or any one in his employ) entitled to practice medicine under the laws of the State of California, but such prescription shall be written, signed and dated by the physician, and shall contain the name of the person applying personally for the prescription and the name of the person for whose personal

use the prescription is made, and shall be presented to and filed by the druggist before any sale or furnishing is made thereon, and such prescription shall not be refilled, nor more than one sale be made thereon; that all prescriptions shall be numbered and kept in regular succession by the druggist filling the same on a separate file, convenient for and open and subject during all business hours to the inspection of the Chief of Police, the City Attorney, any member of the Board of Trustees, and to any person who may be designated by said Board; that the prescription shall be given or written only when in the opinion of the physician such liquor is actually necessary as a medicine for the person named thereon, and such prescription shall specify the kind of liquor to be furnished thereon; and it shall be and is hereby made unlawful for any physician to give to or write for any well person, or person not in actual need of such liquor as a medicine, any prescription for intoxicating liquors, either separately or compounded with other ingredients, or to violate or assist in violating any of the provisions of this ordinance, and if, in an action or proceeding brought under this ordinance, any physician is by the court or by the Board of Trustees found to have violated or assisted in violating any of the terms hereof, then in addition to the penalty therefor herein specified, no intoxicating liquors shall thereafter be supplied, furnished or delivered to any person by any druggist, or druggist's clerk upon the prescription of such physician, after notice thereof in writing given by the Chief of Police of said city, which notice in such case, it is hereby made the duty of the Chief of Police to give to every druggist or owner of a drug store in said city.

Sec. 32. It shall be and is hereby made unlawful for any druggist or person owning or in charge of any drug store to allow the drinking on the said premises, or in any room or place connected therewith, or upon any premises occupied or controlled by him of any intoxicating liquors of any kind, or to permit any violation of this ordinance in or upon any such premises owned, occupied or controlled by him.

Sec. 33. All liquor licenses shall be paid for in advance in lawful money of the United States at the office of the License Collector of the City of Fresno. A separate liquor license must be obtained for each branch establishment or separate place of business in which the business is carried on for which or in connection with which the license is issued, and each license shall authorize the party obtaining it to carry on the business or to do the acts hereby permitted only at the location or place of business designated in the permit therefor and indicated in the license.

Sec. 34. It shall be the duty of the City Clerk to prepare and issue a license under this ordinance for every person to whom a permit therefor has been granted, and such permit not rescinded, revoked or cancelled but in force and effect, and to state in each license the amount thereof, the period of time covered thereby, the name of the person, firm or corporation for whom issued and the kind of license, and the location or place where the business is to be carried on in which or in connection with which said license is issued. The City Clerk shall deliver such license to the License Collector for collection and take his receipt for the amount thereof.

Sec. 35. Any permit for a liquor license at any time granted by the Board of Trustees shall continue in force until the 2d day of January of the next succeeding year unless such permit shall prior to such date have been rescinded, revoked or cancelled, or the license issued thereunder declared forfeited; but the Board of Trustees may at any time, in its discretion, without notice, revoke, rescind or cancel any permit for a liquor license theretofore granted and may cancel and declare forfeited any li-

license issued, and every such licensee accepts the permit and license subject to such right of revocation without notice; provided, however, that if any liquor license is declared forfeited or cancelled without the preferring of charges against or the giving of notice to the holder thereof, there shall on the cancellation or forfeiture of such license, be returned to such former licensee, on his application therefor, the pro rata portion of the license for the balance of the quarter year for which payment was theretofore made in advance. If neither the permit received nor the license granted under the provisions of this ordinance be rescinded, revoked or cancelled, the licensee may receive his license on the 1st day of each quarter during the year for which the permit was granted by paying on said day the rate or amount of the license tax as hereinabove specified, such payment to be in advance for such quarter and to be made in lawful money of the United States, at the office of the License Collector of the City of Fresno.

Sec. 36. No liquor license shall be issued to any person or persons, firm or corporation except upon a permit therefor previously granted by the Board of Trustees. No such permit shall extend beyond the 1st day of January of the year next following the year in which it is granted, and before a license is issued in any year a new application shall have been presented and a new permit granted; provided, however, that applications for permits for liquor licenses for any year may be heard by the Board and acted upon in the month of December next preceding the beginning of any year, and the permit if granted at any time during said month for the next succeeding year shall be deemed to be a valid permit for the next ensuing year the same as though granted on or after the first day of January of such next ensuing year. In case the permit granted to any person for a liquor license shall be rescinded or revoked by said Board, the City Clerk and the License Collector shall not issue any further liquor license to such person unless and until a new permit shall have been granted him by said Board.

Sec. 37. No permits for retail liquor licenses in excess of 49 shall at any time be granted by the Board of Trustees, and the whole number of retail liquor licenses issued under this ordinance and in force at any one time shall not exceed 49; and should the whole number of permits for retail liquor licenses granted under this ordinance for or during the three months next succeeding the date of the adoption hereof exceed 40, then thereafter no other or additional permits for retail liquor licenses shall be granted or such licenses issued except as, or by way of, a renewal of the licenses theretofore issued under this ordinance until the whole number of retail liquor licenses in force in said city has been reduced to 40, and whenever the number of such retail licenses has been reduced to 40, no permits for retail liquor licenses in excess of 40 shall ever thereafter be granted and thereupon and thereafter the whole number of liquor licenses issued and in force at any one time in said city shall not exceed 40.

Sec. 38. Whenever it appears or has been shown to the satisfaction of the Board of Trustees that any licensee under the provisions of this ordinance, or any of his servants or employees has been in an intoxicated condition while in or about the premises or business for or in connection with which a liquor license has been issued, or has sold or served liquor to any minor or to any intoxicated person, or that any game or other transaction in violation of any state law or city ordinance, or any gambling of any kind has been conducted, carried on or suffered or allowed to be conducted, or has existed or been done in or about such premises, or that any such licensee, or any of his servants or employees, has committed or permitted any breach of the peace or any disorderly conduct at or about said premises, or that any such licensee has violated or failed

to keep and observe any of the terms of this ordinance, or that any holder of a liquor license has sold, furnished, served or given away intoxicating liquors in manner or time other than is allowed by such license held by him, then such license shall by resolution of said Board be declared forfeited and cancelled, and the permit therefor be rescinded and revoked, and thereupon and thenceforth it shall be unlawful for such person or former licensee to sell, furnish, serve or give any of the liquors whatsoever in this ordinance mentioned in said city.

Sec. 39. No permit granted nor license issued under this ordinance can be assigned except to a bona fide purchaser of the business to which it relates or in connection with which it was granted or issued, and after the consent of the Board of Trustees of said city upon an application therefor filed, containing in addition to the requirements hereinbefore specified for obtaining an original license, a statement setting forth such transfer, or proposed transfer, of the business. Such application must be verified by both assignor and assignee.

Sec. 40. This ordinance shall not apply to the giving or serving of liquors by persons in the privacy of their own homes and households for the uses thereof, or to the serving or giving of same to members of the family of such persons, or as an act of hospitality toward invited guests within such homes or households.

Sec. 41. It is hereby declared to be unlawful and fraudulent for any person, firm, corporation or association within the corporate limits of the City of Fresno to resort to, use, devise or operate in any way or manner whatsoever, any trick, shift, device, artifice or pretense to evade, avoid or defeat any of the terms, conditions or provisions of this ordinance, or to escape or avoid any of the penalties in this ordinance provided, and every such trick, shift, device, artifice or pretense is hereby declared fraudulent and unlawful.

Sec. 42. Every person, firm, corporation or association who commits or is guilty of any breach of any of the provisions, terms, conditions, limitations or restrictions of this ordinance, or who does, or aids, assists or encourages in the doing of any act or thing by its provisions or terms prohibited or made or declared to be unlawful or fraudulent shall, for each such act or thing so done, or aided, assisted or encouraged to be done, be subject and liable to the City of Fresno for a penalty of Forty Dollars, lawful money of the United States, which said penalty, together with all legal costs, shall be recovered by said city in a civil action therefor, as provided by law, in any court of competent jurisdiction, against any person, firm, corporation or association subject or liable therefor as in this ordinance provided.

Sec. 43. A right and cause of action is hereby created in favor of the City of Fresno, and full authority and power and right to bring, maintain and prosecute same and recover said penalty is hereby conferred on said city against all persons, firms, corporations or associations subject or liable therefor as in this ordinance set forth. And it shall be the duty of all police officers to report all violations of this ordinance to the City Attorney, and the City Attorney shall, when in his judgment there is sufficient evidence to justify it, bring actions in the name of said city for the recovery of such penalties in any court of competent jurisdiction. Every officer of said city, including police officers, is hereby authorized for and on behalf of said city, and as its agent, to verify the complaint in any action by said city for the recovery of any penalty for the violation of any of the provisions of this ordinance.

Sec. 44. Whenever judgment is given and entered in any such action

in favor of said City of Fresno for the recovery of the amount of such penalty and costs, the same may be enforced by execution as provided by section 684 of the Code of Civil Procedure of the State of California, which said section is hereby adopted in so far as the same is applicable, and if the judgment in any such action direct that the defendant therein be arrested, execution may issue against the person of such judgment debtor, after return of execution against his property unsatisfied in whole or in part, and require the officer to whom it is directed to arrest said judgment debtor and commit him to the County Jail of Fresno County, State of California, until he pays such judgment, according to the terms thereof, or be discharged according to law.

Sec. 45. Every breach of this ordinance or of any of its terms, conditions, provisions, requirements, restrictions or limitations as the same are hereinbefore established, created, declared, defined and set forth, shall separately or for each day of its continuance be deemed to be, and shall be a separate breach thereof; and no action to recover any penalty incurred under the provisions of this ordinance and no judgment or recovery of any such penalty, shall be deemed a waiver of, or bar to the recovery of any other penalty or penalties incurred for breaches of this ordinance whether such breaches shall have occurred before or after suit or recovery; and every person, firm, corporation or association who commits, or aids, assists, abets or encourages the commission of any such breaches, or any breach whatsoever of this ordinance, or any of its terms, conditions, provisions, requirements, restrictions or limitations, shall be deemed to have incurred, and shall be subject to and liable for the penalty and costs hereinbefore provided.

Sec. 46. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Sec. 47. This ordinance shall take effect on, and shall be in force and effect immediately on and after its passage.

ORDINANCE NO. 603.

In effect Dec. 8, 1909.

An Ordinance providing for the better protection of the rights of persons traveling the streets and public ways of the City of Fresno.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. It shall be, and is hereby made, unlawful for any person in charge or control, either as engineer, conductor, brakeman, or otherwise, of an engine, car, train of cars, or any part of a train of cars, on any railroad operated within or passing through the City of Fresno, to cause or allow such engine, train, car, or part of a train of cars to stand or remain on or across any street crossing within the said City, or so much of the way across any street crossing within said City as to hinder or obstruct travel on or over any street, at or during any time except when making up a train or stopping a train at a station, and then only for a period of time not to exceed three minutes; and in no case shall any engine, train, portion of a train, or any railroad car obstruct any street for a longer period than three minutes.

Sec. 2. Any person violating any of the provisions of this ordinance, or doing any act herein declared to be unlawful, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine in a sum not less than Ten Dollars nor more than One Hundred Dol-

lars, or by imprisonment in the County Jail of the County of Fresno for a term not to exceed ninety days, or by both such fine and imprisonment.

Sec. 3. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Sec. 4. This ordinance shall take effect and be in force immediately on and after its passage.

ORDINANCE NO. 607.

In effect Feb. 11, 1911.

An Ordinance regulating the construction, erection, repair, alteration, removal, demolition, condemnation and use of buildings in the City of Fresno.

The Board of Trustees of the City of Fresno do ordain as follows:

Unlawful to Build in Violation of Ordinance.

Section 1. It shall be unlawful for any person, firm or corporation to hereafter erect, construct, alter, repair, raise, build upon, move, demolish, maintain or use, in the City of Fresno, any building or structure, or any portion thereof, in a manner that shall violate any of the provisions of this ordinance.

Unlawful to Build Without a Permit.

Sec. 2. It shall be unlawful for any person, firm or corporation, either as owner, architect, builder, principal, agent or otherwise, to commence or proceed with the erection, construction, alteration, repair, moving or demolition, of any building or other structure, exceeding twenty dollars in cost (restoration of plastering or painting or reshingling of roofs excepted), in the City of Fresno, unless a written permit to do such work has been first obtained from the City Engineer in accordance with the provisions of this ordinance. Provided, however, that any building or other structure erected by the County of Fresno, or the State of California, or the United States of America shall be exempt from the provisions of this section.

Any party desiring such permit shall file with the City Engineer, on a blank furnished by said City Engineer, an application therefor, setting forth the exact location, by deed description, of the proposed work, the names of the owner, architect and builder, an estimate of the cost of the proposed work, the probable time of completion of said work, and the purposes for which the building is to be used.

A full and complete set of plans and specifications shall also be filed with the application, and in the event of a permit being issued therefor, the said building or other structure shall not be constructed in other manner than as set forth in said plans and specifications, unless a new permit is obtained therefor.

Fees.

Sec. 3. Fees for the issuance of permits to do any of the work outlined above shall be collected by the City Engineer, and by him turned over to the City of Fresno every month, as follows:

For any proposed work costing not over one thousand dollars, one dollar;

For any proposed work costing over one thousand dollars, but not over ten thousand dollars, one dollar and fifty cents for the first one thousand dollars and one dollar for each additional one thousand dollars or fraction thereof;

And for each additional one thousand dollars, or fraction thereof, above ten thousand dollars, fifty cents.

If any party, whether as owner, architect or builder, shall commence any of the work outlined in the above sections, without first obtaining a written permit therefor, as provided, he shall be required, upon subsequently taking out a permit, to pay double the amount of fee hereinbefore provided for such permit, in addition to other penalties herein provided.

Time Limit.

Sec. 4. The work authorized by any permit hereunder shall be completed on or before the time specified in the application, which said time shall be set forth in the permit, and if said work is not completed within said specified time, a new permit shall be taken out.

If any work is done in violation of the permit or the provisions of this ordinance, the permit shall be immediately revoked by the said City Engineer.

Penalty.

Sec. 5. Any person, firm or corporation violating any of the provisions of this ordinance, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine of not less than five dollars nor more than three hundred dollars, or by imprisonment in the County jail for not less than five days nor more than ninety days, or by both such fine and imprisonment. Each such person, firm or corporation shall be deemed guilty of a separate offense for every day during which any such violation of these provisions exists.

Duty of Officers.

Sec. 6. It shall be the duty of the Chief and Assistant Chief of the Fire Department, the Chief of Police and all police officers in conjunction with the City Engineer, or his deputies, to see that the provisions of this ordinance are enforced, and they are hereby empowered to enter any premises, or go into any building where they or either of them have reasonable grounds to believe that any of the provisions of this ordinance are being violated. And said officers are hereby directed to make complaint, in the Police Court, against any person refusing or neglecting to comply with the provisions of this ordinance.

Immoral Purposes.

Sec. 7. No permit shall be issued for the construction of any building or other structure to be used for immoral or gambling purposes.

Dangerous Use of Buildings.

Sec. 8. If, at any time, any building or other structure within the City of Fresno is found to be used or occupied for any purpose which, in the judgment of the City Engineer or Fire Chief, is dangerous to the safety of said building or other structure, or to any other building or structure, or to the life of any person in or around said building or other structure, then upon written notice to the occupant from either the said City Engineer or Fire Chief, or both, said use or occupancy must be vacated; provided, however, that the Board of Trustees may, if it desires, grant a special permit for such hazardous use, under such restrictions and regulation as it may impose.

Use of Part of Streets.

Sec. 9. When it is desired, in connection with any of the work outlined in this ordinance, to use a part of any street, avenue or alley, permit may be given by the City Engineer for the use of one-half of the width of any such street or avenue, and one-third of the width of any such alley,

immediately adjacent to the proposed work, provided, however, that such use shall not interfere with the operation of any street cars that may be running on said street or avenue. When desiring the use of any such street, avenue or alley, a deposit of twenty-five dollars shall be made with the City Engineer as a guarantee that the permittee will leave the said street, avenue or alley in as good condition, when the building or other structure is completed, as when the permittee took possession of same, and that the permittee shall, as the work progresses, clean up all debris and remove all material and appliances not necessary for construction work, from the street and sidewalk, as directed by the City Engineer. Sidewalks must be left passable to the extent of at least six feet in width and if necessary to the safety of pedestrians, such passageway must be protected, in an approved manner, by overhead scaffolding or otherwise, so that no material will fall thereon to the injury of passers-by. All damages due to neglect or carelessness in maintaining proper passageways shall be paid by the permittee. Red lights must be kept lit during the whole of every night, upon all piles of material on any public street, alley or sidewalk.

Removal of Frame Buildings in Fire Limits.

Sec. 10. No wooden, frame, or combination wood and iron building now within the established Fire Limits of the City of Fresno, shall be moved to any other location in the said Fire Limits, excepting upon another portion of the same parcel of land upon which said building then stands, held and owned by the same person. Such building, may, however, be removed to a location outside of said Fire Limits upon the issuance of proper permit therefor.

Moving Buildings on Public Streets.

Sec. 11. When a building or other structure is to be moved along any public street or alley, it shall be necessary to obtain from the City Engineer, in addition to the original permit above mentioned, a permit for such removal along any public street or alley before such removal can be commenced. The person applying for such permit shall deposit with the City Engineer fifty dollars. The permittee, by the acceptance of such permit, agrees to put the streets over which such removal is made, in as good order and condition as they were prior to such use, and agrees to clean up and remove all debris deposited thereon by reason of such use, otherwise to forfeit to the City the said deposit, in addition to other damages which he may be the cause of, and be responsible for.

All removals made under such permits shall be done in a careful manner, and shall be prosecuted with diligence, and shall be under the superintendence and control, and to the satisfaction and approval of the Superintendent of Streets.

No person, firm or corporation owning or having charge of the removal of any building through the public streets, shall permit such building to be or stand on any street, lane, alley or public grounds within the limits of one block for a longer period than twenty-four hours, nor shall they permit the same to obstruct any street car line in operation, by cutting wires or otherwise, except between the hours of 1 A. M. and 5 A. M.

When the cutting of any wires, or temporary removal of any pole or poles of any public or private telegraph, telephone, electric light, or any other wire, passing along or over any street, lane or alley becomes necessary for the removal of any building, the person in charge of such removal shall, at least six hours in advance of reaching the same, notify the person or persons having charge of and control over such wire or wires, and the person so notified shall cause such wires to be promptly cut or removed, and replaced, after being first paid or tendered the reasonable cost

and expense thereof; provided, however, that in every case in which the cutting of wires belonging to the City of Fresno, may be necessary, the City Electrician shall be notified, and he shall have the wires cut and replaced, the person or persons having charge of the removal of the buildings paying the entire cost and expense of the cutting, removal and replacing of the same.

Demolition of Buildings.

Sec. 12. In demolishing any building, one story shall be completely removed before the demolition of another story is begun. No material shall be placed upon the floor of any such building in the course of demolition, but the brick, timbers and other parts of each story shall be lowered to the ground immediately upon displacement.

Dangerous Buildings.

Sec. 13. Whenever the City Engineer shall find that any structure, or any part thereof, is dangerous to persons or property, or is unsafe for the purpose for which it is used, or is in danger of fire from any defect in its construction, or that the doors, passageways, or stairways of any structure are insufficient for the escape of the occupants in case of fire, or do not conform to the ordinances of the City of Fresno, he shall notify the owner, person in charge or occupant thereof in writing, specifying wherein such structure is dangerous, unsafe or defective, or not in conformity with said ordinances, and requiring such owner, person in charge or occupant forthwith to remove, demolish or repair the same, or to make such alterations therein as may be necessary to make such structure conform to said ordinances, and the person receiving such notice shall, within forty-eight hours after receiving same, begin to comply therewith, and shall complete the work so required as soon as practicable. It shall be unlawful for any person to use or to permit the use of any such structure, or part thereof, described in said notice, unless the work mentioned in said notice shall have been done.

Damage to Frame Buildings in Fire Limits.

Sec. 14. Whenever a wooden or frame building or other structure within the Fire Limits, is damaged by fire, decay or other causes or by any or all of said causes combined, to the extent of thirty per cent of its actual value immediately after its erection, estimated above the foundation of said building or other structure, it shall be unlawful to repair, reconstruct or to use such structure, but said structure must be demolished and cleared away.

Arbitration.

Sec. 15. Appeal may be taken from the decision of the City Engineer under Sections 13 and 14 as follows: Such appeal must be taken within five days after the decision of the City Engineer is rendered, by filing with said City Engineer a request in writing for arbitration, which shall state the subject of the proposed arbitration and the name of the person who is to represent the appellant as arbitrator. The City Engineer shall thereupon furnish to the appellant a statement of the cost of such arbitration, and such appellant shall within twenty-four hours from the time of filing the original request for arbitration deposit with the City Engineer the sum of money required for defraying the expenses of the same, which sum shall in each case be fixed by said City Engineer in proportion to the difficulty and importance of the case, but shall in no case be more than the cost of similar services in the course of ordinary business. As soon as such sum of money shall have been deposited with the City Engineer, he shall appoint an arbitrator to represent the city, and the two arbitrators thus appointed shall, if they cannot agree, select a third arbitrator, and these arbitrators shall be competent builders, architects or engineers,

and shall, after investigating the matter make a decision in regard to the same. A majority report from the arbitrators shall be final and binding upon the appellant as well as upon the city, and shall be rendered in writing to the City Engineer and to the appellant. The fee deposited by the appellant with the City Engineer shall be paid to the arbitrators upon the rendering of their decision, and shall be in full for all costs incident to the arbitration.

Whenever the decision of the City Engineer upon the safety of any building, or any part thereof, is made in a case so urgent that failure to promptly carry out orders to demolish such building or part thereof may endanger life or limb, the decision and order of the City Engineer, when set forth in a notice marked "emergency," shall be final without recourse to arbitration.

Alterations and Repairs in the Fire Limits.

Sec. 16. No repairs, changes or alterations shall be commenced or made upon any building or other structure within the Fire Limits, except in compliance with the provisions of this ordinance for new buildings or other structures within the Fire Limits, provided that a permit may, in the discretion of the City Engineer, be granted as herein provided, for the repair, alteration or change of any building already erected in said Fire Limits and used exclusively as a dwelling house, to the extent of one-sixth of its original value and no more, and such materials may be used therein as are approved by the City Engineer, provided further that but one such permit only shall be granted for any such building regardless of ownership.

Definitions.

Sec. 17. For the purposes of this ordinance, the following terms shall have the meanings attached to them by this section, unless it is apparent from the context that they are used with another meaning.

A frame building is a building or structure of which the exterior walls or a portion thereof are constructed of wood. Buildings sheated with wood and wholly or partially covered with a veneering of brick or masonry, or buildings constructed of a wooden frame covered with iron or other metal shall be considered frame buildings.

"Masonry" means brick, stone, cement, concrete or reinforced concrete.

"Story" means (for the purpose of calculating the thickness of walls) the vertical distance between any two floors of a building above the sidewalk, or between the upper floor and the ceiling above it, provided such distance does not exceed sixteen feet. If any such distance exceeds sixteen feet, then each sixteen feet or fraction thereof shall be considered a separate story.

"Cellar" or "Basement" means all that portion of a building below the surface of the ground upon which it is built.

"Alterations" means any change or addition, other than plumbing.

"Repairs" means the reconstruction or renewal of any existing part of a building, or of its fixtures or appurtenances, other than plumbing.

"Party Wall" means a wall used, or built to be used, in common by two buildings.

"Partition Wall" means any interior wall in a building other than a division wall.

"Division Wall" means any wall, other than an exterior wall or a party wall, which extends the full height of the building and through the roof, and such walls shall be in all respects as provided for party walls.

"Bearing Wall" is a wall carrying the interior load of a building.

"Exterior Wall" means every outer wall or vertical enclosure of a building, other than a party wall.

"Thickness of a Wall" means the minimum thickness of such wall, between floors, or between floors and ceiling or roof.

"A Dwelling" means a building intended for the residence of not over two families.

"An Apartment House" or "Tenement House" is a building containing separate apartments for three or more families, and having a street entrance common to all.

"Flats" is a building of two or more stories containing independent dwellings, each having its own street entrance.

"A Hotel" is a building used as a place of entertainment of transient guests and having more than twenty sleeping rooms for guests.

"A Boarding" or "Lodging House" is a building used for boarding or lodging purposes, and containing not less than five nor more than twenty sleeping rooms for guests.

"An Office Building" is a building, the whole or larger part of which is intended or used for office purposes, no part of which is used for living purposes except by the janitor and his family.

"A Public Hall" is a room for public assemblages, having a total seating capacity of 100 or more persons, not including a theater.

"A Theater" is a building containing a room used for theatrical or operatic exhibitions or other public entertainments, having a total seating capacity of 300 or more persons, upon the stage of which movable scenery is used, or which has a stage twenty feet or more in depth, with the ceiling of the stage more than three feet higher than the proscenium arch at any point.

"A Hospital," "Sanitarium" or "Asylum" is a building in which sick, demented, injured, infirm, aged or orphaned persons are housed, or intended to be housed, in any number exceeding twenty-five.

"A Warehouse" is a building used for the storage of goods, wares or merchandise, or whose floors are designed to sustain a load of 250 pounds or more to the square foot.

"A Factory" is a building used for manufacturing purposes.

"A Store Building" is a building used wholly or in part for the purpose of exhibiting for sale goods, wares or merchandise.

"Length of a building": its greatest linear dimension.

"Width of a building": its next greatest linear dimension.

"Height of a building": the vertical distance between the highest point of the curb grade in front of said building and the highest part of its roof, except spires, belfrys or steeples.

Quality of Materials.

Sec. 18. All materials entering into the construction of any building or other structure shall be first class in every respect and their quality must conform to the standards which may, from time to time be adopted by the City Engineer and the Building Committee of the Board of Trustees.

Excavations and Foundations.

Sec. 19. (a) All excavations for buildings shall be properly guarded and protected so as to prevent the same from becoming dangerous to life or limb and shall be sheath-piled by the person or persons causing the excavations to be made when necessary to prevent the adjoining earth from caving in.

(b) Plans filed with the City Engineer shall be accompanied by a statement of the character of the soil at the level of the footings.

(c) Whenever an excavation of either earth or rock for building or other purposes, shall be intended to be, or shall be carried to the depth of more than nine feet below the curb immediately in front thereof, the person or persons causing such excavation to be made shall at all times, from the commencement until the completion thereof, if afforded the necessary license to enter upon the adjoining land and not otherwise, at his or their own expense preserve any adjoining or contiguous wall or walls, structure or structures from injury, and support the same by proper foundations, so that the said wall or walls, structure or structures, shall be and remain practically as safe as before such excavation was commenced, whether the said adjoining or contiguous wall or walls, structure or structures, are down more or less than nine feet below the curb.

(d) If the necessary license is not accorded to the person or persons making such excavation, then it shall be the duty of the owner or owners refusing to grant such license to make the said adjoining or contiguous wall or walls, structure or structures, safe, and support the same by proper foundations satisfactory to the City Engineer, so that adjoining excavations may be made.

(e) If such excavation shall not be intended to be, or shall not be carried to a depth of more than nine feet below the curb, the owner or owners of such adjoining or contiguous wall or walls, structure or structures, shall preserve the same from injury, and so support the same by proper foundations, satisfactory to the City Engineer, that it or they shall be and remain practically as safe as before such excavation was commenced and shall be permitted to enter upon the premises for that purpose when necessary, where such excavation is being made.

(f) In case an adjoining party wall is intended to be used by the person or persons causing the excavation to be made, and such party wall is in good condition and sufficient for the uses of the adjoining building, then and in such case the person or persons causing the excavation to be made shall at his or their own expense, preserve such party wall from injury and support the same by proper foundations, so that said party wall shall be and remain practically as safe as before the excavation was commenced.

(g) If the person or persons whose duty it shall be to preserve or protect any wall or walls, structure or structures from injury shall neglect or fail so to do after having had a notice of twenty-four hours from the City Engineer then the City Engineer or his deputy may enter upon the premises and employ such labor, and furnish such materials, and take such steps as, in his judgment, may be necessary, at the expense of the person or persons whose duty it is to keep the same safe and secure, to make the same safe and secure, or to prevent the same from becoming unsafe or dangerous.

(h) Any person doing the said work, or any part thereof, under and by direction of the said City Engineer may bring and maintain an action against the person or persons last herein referred to, to recover the value of the work done and the materials furnished, in and about the said premises, in the same manner as if he had been employed to do the said work by the said person or persons.

(i) When an excavation is made on any lot, the person or persons causing such excavation to be made shall build on the adjoining lot at his or their own cost and expense, a retaining wall of sufficient strength to support the adjoining earth, if accorded the necessary license to enter

upon said adjoining lot and not otherwise, and such retaining wall shall be carried to the height of the adjoining earth, and be properly protected by coping. If the necessary license is not accorded to the person or persons making such excavation, then it shall be the duty of the owner or owners refusing to grant such license to build the retaining wall on his or their own property at his or their own expense without recourse to the person or persons making the excavation on the premises adjoining thereto.

Bearing Capacity of Soil.

Sec. 20. (a) Where no test of the sustaining power of the soil is made, different soils, excluding mud, at the bottom of the footings, shall be deemed to safely sustain the following loads to the superficial foot, namely: Soft clay, one ton per square foot; ordinary clay and sand together, in layers wet and springy, two tons per square foot; loam, clay or fine sand, firm and dry, three tons per square foot; very firm, coarse sand, stiff gravel or hard clay, four tons per square foot or as otherwise determined by the City Engineer.

(b) Where a test is made of the sustaining power of the soil the City Engineer shall be notified so that a representative may be present. The record of the test shall be filed in the office of the City Engineer.

(c) When a doubt arises as to the safe sustaining power of the earth upon which a building is to be erected the City Engineer may order borings to be made, or direct to be tested the sustaining power of the soil by and at the expense of the owner of the proposed building.

Construction of Frame Buildings.

Sec. 21. Frame buildings, except as otherwise hereinafter specified, shall comply with the following conditions:

(a) Wood frame buildings shall be limited to a height of fifty-five feet. All spires of churches and towers of breweries which are higher than fifty-five feet shall have such parts as are higher built of and covered with fireproof material.

(b) The walls of wood frame buildings shall be constructed with studding, covered with weather boarding on the outside. No uncovered studding will be allowed against the wall of an adjoining building or structure.

(c) Brick and concrete foundations for wood frame buildings, one and two stories in height, used as dwellings, must not be less than eight inches thick, and not over four feet high above the ground surface. When the foundations are more than four feet high above the ground surface they must not be less than thirteen inches thick.

Foundations for three-story wood frame buildings shall not be less than thirteen inches thick.

When the foundation walls of wood frame buildings are used for embankment or retaining wall, two and three-story buildings with basement shall have foundation not less than thirteen inches thick, and not higher than ten feet from top of top footing to bottom of first floor joists (first tier).

(d) For a building of two stories or less in height, the studding for the outside walls and bearing partitions shall not be less than 2x4 inches; for a building of three stories in height, the studding shall not be less than 3x4 inches, to the bottom of the upper floor joists, and 2x4 inches for the remaining height; for a building of four stories in height, the studding shall not be less than 3x6 inches for the first story, and 2x6 or 3x4 inches for the second and third stories and 2x4 inches for the fourth story.

Where the bearing partitions are less than twelve feet apart, the studding may be less than the outside walls, but never less than 2x4 inches. Partitions dividing several stairways and sliding doors may by permission of the City Engineer be less than 3x4 inches.

Studding on the exterior and interior walls of buildings shall not be placed more than sixteen inches between centers.

The underpinning of buildings shall be at least one inch thicker than the studding of the story immediately above, and said studding shall not be placed more than twenty-four inches between centers.

Sufficient underpinning shall be used under the structure, as will, in the judgment of the City Engineer, safely sustain the load to be placed thereon.

(e) All dividing partitions between buildings shall be closed boarded from the lower floors to the ground, and from the upper ceilings close to the underside of the roof boarding, so as to effectually check all connection from one building to another. Where a large building is divided into tenements the boarding shall be applied on each dividing partition. The distance between dividing partitions shall not exceed twenty-five feet.

(f) Attics or the unfinished space between the ceiling and roof rafters of frame buildings shall be divided into compartments or rooms in order to prevent the rapid progress of fire. Such compartments shall not have a floor area of more than twenty-five hundred square feet.

(g) When stories are framed separately, each tier of studding must have top and bottom plates, and the top plates must be doubled; when stories are not framed separately, proper bridging must be placed behind the ribbon at the ceiling line and on top of the joist at the floor line. Bridging must be two inches thick and of the full width of the studding in every case.

All wood beams or joists shall be trimmed away at least one and one-half inches from all flues and chimneys, whether the same be a smoke, air or any other kind of chimney.

The trimmer beam shall not be less than eight inches from the inside face of a flue, and four inches from the outside of a chimney breast, and the header beam must not be less than two inches from the outside of the brick or stonework of the same, except that for the smoke flues of boilers and furnaces where the brickwork is required to be eight inches in thickness the trimmer shall not be less than twelve inches from the inside of flue.

(h) All stud walls, or partitions hereafter built, altered or repaired, shall have one row of bridging for every seven feet in height over the first seven. Said bridging shall in all cases extend to the lathing or sheathing, so as to prevent the passage of fire and smoke, and shall be the same thickness as the studding. All outside walls and cross-partitions shall be thoroughly angle-braced; all joists shall have solid end-blocking. All buildings over twenty-five feet in width shall have a row of solid blocking over girder or partition of stairways. A row of cross-bridging at least two inches thick must be placed between the floor joists at least every twelve feet.

(i) When a chimney is furred out, the space between the chimney and the breast shall be so built that the passage of fire and smoke shall be intercepted, and wherever cove ceilings are used, they shall be solid blocked behind on the studding at the spring of the cove.

(j) Bay, oriel or swell windows constructed in frame buildings shall have spaces of not less than five feet in width, measured on outside of building clear of finish; provided, that in buildings built on lots having a

frontage of twenty-five feet or less, the space between said bay, oriel or swell windows may be decreased, provided the studding in said space shall be increased in thickness so as to contain the same amount of lumber as would be contained in the studding of the piers in the aforesaid spaces of five feet, but the spaces shall be at least two feet six inches between bays in any case.

Such windows may project not more than three feet over the street line, measured to the finish; they must not be more than ten feet wide, measured from end to end, and the finish of their soffits must be at least ten feet above the sidewalk, unless the window is entirely back of the street line.

Construction of Masonry Buildings.

Sec. 22. All masonry buildings, except as hereinafter particularly specified, used for any purpose, shall be constructed in such a manner as to comply with the following conditions:

(a) The total height of any such building shall not exceed one hundred and fifty feet, provided further, that no building shall be erected to a height in excess of the available fire fighting facilities and water supply as determined by the Chief of the Fire Department.

(b) Masonry buildings must have their outside and party walls built of brick, stone, concrete or reinforced concrete except as hereinafter otherwise specified.

(c) General table for the minimum thickness of outer and bearing walls:

No. of stories in building	Thickness of wall at each story.								
	Basement	1	2	3	4	5	6	7	8
One story	16	12							
Two stories	16	16	12						
Three stories	20	16	16	12					
Four stories	20	20	16	16	12				
Five stories	24	20	20	16	16	12			
Six stories	24	24	20	20	16	16	12		
Seven stories	28	24	24	20	20	16	16	12	
Eight stories	28	28	24	24	20	20	16	16	12

(d) Table for minimum thickness of Party or Division Walls:

No. of stories in building	Thickness of wall at each story.								
	Basement	1	2	3	4	5	6	7	8
One story	16	16							
Two stories	20	16	16						
Three stories	24	20	16	16					
Four stories	24	20	20	16	16				
Five stories	24	24	20	20	16	16			
Six stories	28	24	24	20	20	16	16		
Seven stories	28	28	24	24	20	20	16	16	
Eight stories	32	28	28	24	24	20	20	16	16

(e) Clear span thickness:

If there is to be a clear span of over twenty-five feet between the bearing walls, such walls shall be four inches thicker than in this section specified, for every twelve and one-half feet, or fraction thereof, that said walls are more than twenty-five feet apart, or shall have instead of the increased thickness such piers or buttresses as, in the judgment of the City Engineer, may be necessary.

(f) Existing Party Walls:

Walls heretofore built for or used as party walls, the thickness of which at the time of their erection was in accordance with the requirements of the then existing ordinance, but which are not in accordance with the requirements of this ordinance, may be used, if in good condition, for the ordinary uses of party walls, provided the height of the same be not increased.

(g) Fire Walls:

All exterior, division and party walls shall project through and be at least three feet above the adjoining roof line and shall be twelve inches thick, unless otherwise permitted by the City Engineer. Such fire walls shall be continuous without openings therein and shall be laid in mortar containing not less than one part of cement to four parts of good lime mortar, said cement mortar to extend from the top of wall to a point two feet below the roof joists and all such brick work to be laid as "full grouted" or "shoved" work. Where by reason of the pitch of roofs or otherwise, fire walls shall extend more than three feet above adjoining roof line, the same shall be anchored with 3-4 inch iron rods or pipes of one inch outside diameter, said anchors to be well secured to roof, to have "T" heads built eight inches into wall, eight inches below its top anchors to be not more than ten feet apart.

(h) Heading courses in brick walls:

In all brick walls every sixth course shall be a heading course except where walls are faced with brick in running bond, in which latter case, every sixth course shall be bonded into the backing by cutting the course of the face brick and putting in diagonal headers behind the same, or by splitting the face brick in half and backing the same with a continuous row of headers.

Where face brick is used of a different thickness from the brick used for the backing, the courses of the exterior and interior brickwork shall be brought to a level bed at intervals of not more than ten courses in height of the face brick, and the face brick shall be properly tied to the backing by a heading course of the face brick.

All bearing walls faced with brick laid in running bond shall be four inches thicker than the walls are required to be under any section of this Ordinance.

If brick walls are laid in Flemish bond, all headers must be full headers, if possible. Where this is not possible, the headers of every sixth course must be full headers, and in this case, the thickness of the wall must be four inches greater than it otherwise be, under the requirements of this Ordinance. Or an approved metallic bond, satisfactory to the City Engineer, may be used in place of the extra thickness of wall.

Stone used for the facing of any building, and known as ashlar, shall be not less than four inches thick.

Stone ashlar shall be anchored to the backing and the backing shall be of such thickness as to make the walls, independent of the ashlar, conform, as to the thickness, with the requirements of paragraphs "c" and "d" of this section, unless the ashlar be at least eight inches thick and bonded into the backing, when it may be counted as part of the thickness of the wall.

Iron ashlar plates used in imitation of stone ashlar on the face of a wall shall be backed up with the same thickness of brickwork as required for a brick wall without ashlar.

All foundation walls, isolated piers, parapet walls and chimneys above roofs shall be laid in cement mortar, but this shall not prohibit the use

in cold weather of a small proportion of lime to prevent the mortar from freezing.

All other walls built of brick or stone shall be laid in lime, cement, or lime and cement mortar mixed.

The backing up of the stone ashlar shall be laid up with cement mortar, or cement and lime mortar mixed, but the back of the ashlar may be parged with lime mortar or coated with asphaltum varnish to prevent discoloration of the stone.

(i) Partition Walls:

Masonry partition walls, bearing no weight, between bearing or fire walls not exceeding thirty-three feet apart, may be constructed not less than eight inches thick; if distance between bearing or fire walls is greater than thirty-three feet, the said partition walls must be not less than twelve inches thick. All such partitions shall be carried on proper foundations, or on iron or steel girders and columns properly insulated or piers of masonry.

In buildings with studding walls and partitions, there shall be a fire stop of two inch lumber at each floor where the partitions occur to prevent the spread of fire between the floor joists and between the studding.

Studding walls and partitions shall have a fire stop of two inch lumber not more than eight feet apart in vertical height the full length of the wall or partition.

Coved ceilings against studding walls shall have a two-inch fire stop set in at the springing of the cove and fire stops must, in like manner, be put behind all ribbons supporting floor beams.

(j) Allowable span:

No clear span between bearing or fire walls shall exceed seventy-five feet.

(k) Floor areas:

In all non-fireproof stores, warehouses and factories, no single floor area, between brick fire walls of a thickness corresponding to the main bearing walls, shall exceed the following:

When located fronting on one street only, may cover an area of not more than 7,500 square feet; or if a corner building fronting on two streets, it may cover not more than 9,000 square feet; or when such a building fronts on three streets it may cover an area of not more than 10,500 square feet between brick fire walls.

In all stores, warehouses and factories, not exceeding fifty feet in height, which may be built fireproof, the areas between brick fire walls of a thickness corresponding to the main bearing walls may be increased fifty per cent over the above limits.

But in case any such fireproof building exceeds the height of fifty-five feet, the areas between brick fire walls of a thickness corresponding to the main bearing walls may be the same, but no greater than the areas hereinbefore stated in this section for non-fireproof construction; provided, however, in case the foregoing described buildings are completely equipped with a system of automatic sprinklers in a manner approved by the Board of Fire Underwriters of the Pacific, the areas between the brick partition walls may be increased as follows:

For the non-fireproof constructed buildings, the respective areas hereinbefore stated may be increased fifty per cent.

For the fireproof constructed buildings not exceeding fifty-five feet in height, the respective areas hereinbefore stated may be increased thirty-three and one-third per cent; and

For the fireproof constructed buildings exceeding fifty-five feet in height, the respective areas hereinbefore stated may be increased thirty-three and one-third per cent.

No wall or part of wall in any existing building nor in any building hereafter erected shall be removed to produce a larger area than those named in this section.

When more than two fireproof or non-fireproof buildings communicate although protected by double standard fireproof doors, they shall be provided with a system of approved automatic sprinklers where occupied as stores, warehouses and factories.

Openings in the brick fire walls of buildings specified in this section shall in no case exceed eight feet in width, nor more than ten feet in height, and above each such opening there shall be a curtain wall between the top of the opening and the ceiling line of at least three feet. The openings shall be provided with approved standard fireproof doors on both sides of the wall.

(l) Lining existing walls:

In case it is desired to increase the height of existing party or independent walls, which are less in thickness than required under this code, the same shall be done by a lining of brickwork to form a combined thickness with the old wall of not less than four inches more than the thickness required for a new wall corresponding with the total height of the wall when so increased in height or a satisfactory bond is made with the original wall in the opinion of the City Engineer.

The said linings shall be supported on proper foundations and carried up to such height as the City Engineer may require.

(m) Hollow walls:

In all walls that are built hollow the same quantity of stone, brick or concrete shall be used in their construction as if they were built solid, as in this ordinance provided, and no hollow wall shall be built unless the parts of same are connected by proper ties, either of brick, stone or iron, placed not over twenty-four inches apart.

(n) Light and Vent Shafts:

In every building hereafter erected or altered the walls forming the light or vent shafts shall be built of brick, tile, concrete or with studding having metal lath and cement plastering on both sides.

In all cases the construction of the proposed light or vent shafts must be of such material as may be approved by the City Engineer, and in no case shall the proposed construction be less fireproof in its character than the construction of other hazardous parts of the building.

If the shaft is covered with a skylight the louvres must be galvanized iron and the frame work must be metal clad. The glass must be wired and at least one-fourth inch in thickness.

The walls of all light or vent shafts, whether exterior or interior, hereafter erected, shall be carried up not less than three feet above the level of the roof, unless otherwise permitted by the City Engineer, and the brick walls shall be coped as other parapet walls.

(o) Cornices and Appendages:

Every cornice, gutter, eave or parapet on any masonry building shall be made of incombustible material. Every metal cornice shall have riveted joints, and shall be supported by heavy steel brackets, properly braced and capable of sustaining at each extreme outer point a load of not less than three hundred pounds. Such brackets shall not be placed more than two feet six inches apart from center to center, and shall be thoroughly anchored into the brick work and to the roof, and the top

member of each bracket shall be carried through the masonry to the inside thereof, and be properly anchored into the wall. The roof or covering of any cornice may be sheathed with wood, provided that such sheathing shall be entirely covered with metal; or, where composition roof is used, it may extend within six inches of front edge of cornice, and said space of six inches shall be covered with metal, and the brick firewall shall be extended solidly to the under side of the boarding which form the top side of the cornice. No cornice on any building shall exceed in width one inch for every foot in height of the building.

Appendages such as skylights, dormer windows, gutters, mouldings, eaves, parapets, balconies, bay windows, towers, spires, ventilators, turrets and lantern lights, except as in this ordinance provided, if not wholly fireproof, shall be enveloped with fireproof materials.

(p) Awnings:

All awnings except canvass awnings shall be made either of metal or wire glass, or both metal and wire glass, supported by metal brackets in such a manner that no part of the awning or its support shall be lower than a point seven feet above the sidewalk; no posts or other supports connecting with the sidewalk will be allowed.

All supports, framing or other structural parts of any awning except canvass shall be sufficiently strong to safely sustain at least 200 pounds per square foot.

Rolling canvass awnings may be used provided all the framing and supporting material be of metal and no part of same be allowed to reach below a point seven feet above the sidewalk. All existing awnings shall be made to comply with the provisions of this section.

(q) Roof:

Rafters in masonry buildings shall be placed not more than twenty-four inches apart from center to center, and shall be covered with boarding not less than one inch thick. All roofs shall be covered with metal, or with felt and asphaltum covered with gravel or with other fire resisting composition, satisfactory to the City Engineer.

(r) Attic:

The space between the ceiling of the top story and the roof in masonry buildings shall be divided by tight partitions of one-inch redwood, into sections each having an area not exceeding two thousand five hundred square feet. All doors or openings in said partitions shall have doors of similar construction and self closing.

(s) Elevator, Dumb Waiter and Chutes Shafts:

All passenger elevators in masonry buildings shall be enclosed in a shaft having a covered top; said shaft shall extend from the basement floor to at least eighteen feet above the highest floor reached by car, or not less than three feet above the roof.

Such shaft shall be of brick, tile, concrete or of wood studs having fire stops the width of studs and not less than two inches thick at each floor and once between floors; such studs shall be metal-lathed on both sides and plastered three-fourths inch thick, or such shaft may be enclosed with wired glass not less than one-fourth inch thick in metal frames and sash.

All doors to such shafts shall be constructed of metal or metal-covered wood, and any glass in doors or shaft walls shall be wired glass not less than one-fourth inch thick in metal or metal-covered sash and frame.

The room containing the elevator machinery shall be of same construction as required for shaft.

Every dumb waiter, chute or other shaft, cutting through from floor to floor, shall be of the same class of construction as required for passenger elevator shafts, or may be of metal or metal-lined where too small to plaster, and all openings to such shafts or chutes shall be provided with doors or covers.

If a freight elevator is placed in a shaft the shaft shall be constructed as provided for shafts for passenger elevators. In case a freight elevator is not enclosed, trap doors shall be provided at each floor, which doors shall be automatic, or shall be held open by fusible links and so arranged as to fall shut when link is fused, and shall be covered with lock jointed tin on under side and edges.

Every passenger elevator car or hoist shall be provided with the proper automatic apparatus to prevent its falling in event of accident. Immediately below sheave beams of elevator there shall be placed a strong metal netting of not less than three-sixteenths inch round iron and having a mesh not exceeding two inches, supported on steel angles, and upon such metal netting there shall be a lighter wire netting not exceeding three-eighths inch mesh. Every elevator and its carrying beams and cables shall have a capacity of not less than one hundred pounds to the square foot, with a factor of safety of ten. Every such elevator shall be provided with automatic devices which shall stop the car at the top and bottom floors and with automatic safety devices which will bring the car to a stop in case of excessive speed, or in case of failure of any part of the apparatus.

(t) Stairways:

Masonry buildings shall have one main stairway, not less than four feet wide, from first to highest story, but in no case shall there be less than two stairways from the top floor to the second floor in any building having more than six thousand square feet area to each floor; and every building shall have at least one stairway removed not less than ten feet from any elevator shaft or open well-hole, and one stairway to the roof. Stairways from the first story to any basement or portion thereof occupied for only storage or for the maintenance of service for the building, shall be closed at some point with a tight partition and door, containing no glass other than wired glass not less than one-fourth of an inch thick.

(u) Floors:

In masonry buildings all floors, ceiling and roof joists may be of wood. Every floor shall be composed of two layers of flooring, each not less than seven-eighths of an inch thick, with one inch of non-combustible material placed between the layers of the flooring and extending over the entire area solid up to all materials which pass through the floors and between furring strips. Under such layer of non-combustible material there must be placed a sheet of water-proof paper; or the floor may be constructed with a layer of two-inch tongued and grooved planking and a layer of one-inch flooring, with a layer of water-proof paper between, or two thicknesses of seven-eighths inch flooring with two thicknesses of asbestos paper between the flooring. All water-proof paper must be turned up at least two inches where it comes in contact with the walls or any material passing through the floor.

(v) Sidewalk vaults:

In buildings where the space under the sidewalks is utilized, a sufficient stone or brick wall, or brick arches between iron or steel beams, shall be built to retain the roadway of the street, and the side, end or party walls of such building shall extend under the sidewalk, of sufficient thickness to such wall.

The roofs of all vaults shall be of incombustible material.

Openings in the roofs of vaults for the admission of coal or light, or for any other purposes, if placed outside the area line, shall be covered with glass set in iron frames, each unit of glass to measure not more than sixteen square inches, or with iron covers having a rough surface, and rabbeted into or made flush with the sidewalk.

When any such cover is placed in any sidewalk, it shall be placed as near as practicable to the outside line of the curb.

All vaults shall be thoroughly ventilated.

All areaways shall be properly protected with suitable railings, or be covered over. When areaways are covered over, iron, or iron and glass combined, stone or other incombustible materials shall be used, and be supported on brick or stone walls, or on iron or steel beams.

(w) Fire Doors and Shutters:

(1) Exterior openings: Every exterior window and opening in buildings within the fire limits, except offices, dwellings, churches, and school-houses, that overlooks any adjoining building or is within thirty feet of the wall of any opposite or diagonally exposed building other than a blank wall, shall have metal covered shutters or doors, constructed and arranged as specified in this section, or in lieu thereof may have frames and sash of metal glazed with wire glass not less than one-quarter of an inch thick, no pane in which shall be larger than twenty-four by thirty inches.

Rolling iron or steel shutters may be used on the first story only, and shall be counterbalanced so as to be readily opened from the outside by firemen.

All shutters or doors opening upon fire escapes, and at least one row vertically above the first story, shall be so arranged as to be readily opened from the outside by firemen.

(2) Communicating Openings: Openings through exterior, division, or party walls, whereby communication is made with an adjoining building or room, shall not exceed eight feet in width or be more than two in any one story, and shall have metal covered fire doors, constructed and arranged as specified in this section hereof, on each side of each such opening.

(3) Construction: All fire doors or shutters shall be constructed in conformity with the following specifications:

Doors and shutters shall be constructed of redwood two thicknesses of matched boards not over six inches wide, at right angles to each other, or crossing diagonally, nailed with wire nails clinched, and securely covered with good quality tin on both sides and edges; sheets to be 10x14 inches in size put together with tin roofers' lock joint and securely nailed; the nails to be driven inside the lap and the joints hammered down over the nail heads. No solder shall be used. The hinges, bolts and latches shall be secured or fastened to the door or shutter after the tin has been nailed on. Sheet iron shall not be used. Doors shall never be less than two inches, nor shutters less than 1 1-2 inches thick.

Hinges and hangers shall be of strong wrought iron and fastened to the door or shutter with bolts and nuts. Latches shall be so arranged on shutters that they can be opened from either side.

Swinging doors and shutters shall extend at least three inches over the masonry at sides and top of door or opening, and 1 1-2 inches below top of sill, or they may close into the opening provided the wall be rabbeted three inches at the top and sides and 1 1-2 inches at the bottom to receive same.

All sliding doors shall extend at least three inches over the masonry at sides and top of doorway or opening, and 1 1-2 inches below top of sill.

Sliding doors may run at the bottom in a channel iron so set as to give the door a bearing of 1 1-2 inches below top of sill.

Sills shall break the floor and rise at least one inch above floor level to prevent passage of flame and smoke, and be constructed of masonry. Wood sills shall not be used.

Rail or track must be heavy enough to withstand heat without warping, and may be made of angle or channel iron, and both rails must be secured to wall whenever possible by bolts passing through the wall, otherwise "expansion" bolts shall be used. When channel or angle iron cannot be obtained, the track can be made of common flat bar steel $\frac{3}{8}$ inch to one inch thick and 4 inches wide, bolted through the wall with $\frac{3}{4}$ inch bolts. The distance of track from the wall can be regulated by washers.

Binders shall be placed so as to prevent the door from rolling off the track at either end, and also hold it in position when closed.

(x) Arches and Lintels:

(1) All openings in all masonry buildings shall have good and sufficient arches of stone, brick, or terra cotta, well built and keyed with good and sufficient abutments, or lintels of stone, iron or steel of sufficient strength, which shall have a bearing at each end of not less than five inches on the wall.

(2) On the inside of all openings in which lintels shall be less than the thickness of the wall to be supported, there shall be timber lintels, which shall rest at each end not more than three inches on any wall, which shall be chamfered at each end, and shall have a suitable arch turned over the timber lintel.

Or the inside lintel may be of cast iron, or wrought iron or steel, and in such case stone blocks or cast iron plates shall not be required at the ends where the lintel rests on the walls, provided the opening is not more than six feet in width.

(3) All lintels or arches shall be capable of sustaining the weight and pressure which they are designed to carry, and the stress at any point shall not exceed the working stress for the material used.

Tie rods shall be used where necessary to secure stability in accordance with current good practice.

(y) Galvanized iron front Fire Walls:

When a one story masonry building not over fifty feet wide is to be constructed in such manner that its front shall be flush with the sidewalk, or property line of the lots upon which it stands, the front of said building may at the discretion of the City Engineer, be constructed of plate, wire or prismatic glass, properly set in metal framing extending up to the height of the ceiling; the fire walls may then be constructed of galvanized iron properly fastened to wooden framing in such a manner that no woodwork is exposed; provided that such fire wall rests on steel lintels of sufficient strength and provided further that no part of the roof load is to be supported by said front wall.

Chimneys and Fireplaces.

Sec. 23. (a) Chimneys and flues:

All chimneys and flues hereafter constructed, except as herein otherwise provided, shall be of brick or stone; their enclosing walls shall not be less than four inches thick and except in dwellings, flats, apartment houses and tenement houses, shall, if less than eight inches thick, be lined on the inside with well burnt clay or terra cotta pipe not less than one inch thick. Said lining shall start from the bottom of a flue or the

throat of a fireplace, be continuous to the top of the flue, and be built in first and bricked around as carried up. Flues where lining is not required by this ordinance shall have the joints struck smooth on the inside, and, if less than eight inches thick, shall be smoothly plastered for the entire height on the outside.

No smoke flue shall be less than $7\frac{1}{2}$ by $7\frac{1}{2}$ inches in the clear, and such sized flue shall have but one inlet; for two inlets the flue shall be not less than $7\frac{1}{2}$ by $11\frac{1}{2}$ inches in the clear, for three inlets not less than $7\frac{1}{2}$ by $15\frac{1}{2}$ inches in the clear, and for a larger number of inlets the size shall be increased in the same proportion. Flues larger than two hundred square inches and less than five hundred square inches area shall be surrounded by walls not less than eight inches thick; flues larger than five hundred and less than one thousand square inches area shall be surrounded by walls not less than twelve inches thick to a height of fifteen feet above the inlet, and eight inches thick the remaining height; flues larger than one thousand square inches shall be proportionately increased in size and shall be lined with firebrick for at least twenty feet above the inlet.

Bakery oven flues shall not be less than twelve by twelve inches in the clear and shall be surrounded by brick work not less than eight inches thick.

The inside four inches of all boiler flues for boilers of over twenty-five horse power shall be of fire brick laid in fire mortar for a distance of twenty-five feet in any direction from the source of heat. All chimneys having a greater flue area than two hundred and sixty square inches shall be carried up at least ten feet above the highest point of the roof of the building of which they form a part, and ten feet above the highest point of any roof within fifty feet of such chimney.

Where a smokepipe is to enter a chimney or flue, a tile thimble not less than one inch thick shall be placed as construction progresses. Thimbles shall be surrounded by four inches of brickwork brought out flush with furring, extended to the face of the plastering, and not to be nearer than six inches to any wood lath and plaster.

Chimneys not part of a wall shall not be built upon any floor or beam of wood, but shall be built from the ground up, and shall not increase in size from the foundation. No chimney shall be corbelled out more than eight inches from a wall, and corbelling shall consist of at least five courses of brick, but no corbelling shall be more than four inches in twelve-inch walls. Off-sets for reducing the size of chimneys shall not be greater than one inch to each course.

Flues in party walls shall not extend within four inches of the center of the wall, and joint flues in party walls shall be separated across the wall by an eight-inch width of brickwork for the entire length.

No joist or girder shall be supported on the walls of any chimney or flue, and no woodwork shall be placed nearer than two inches to the outside face of or within six inches of the outside of any smoke, air or other flue. All wood joists shall be trimmed away at least two inches from any smoke, air or other flue; the trimmer beam shall not be less than eight inches from the inside of the flue, and four inches from the outside of a chimney breast, except that for smoke flues the brickwork of which is by this ordinance required to be eight inches thick or more, the trimmer beam shall not be less than twelve inches from the inside of the flue.

Chimneys built outside of frame structures or in light wells thereof, shall be well anchored at intervals of not less than ten feet to the stud walls.

All chimneys and flues shall extend at least four feet above a flat roof and at least two feet and six inches above the ridge of a peaked roof, and if rising above the roof to a height of more than six times their least thickness, shall be anchored with an iron rod or pipe not less than one inch in diameter, with fixed washer at each side of chimney, and not more than four feet from the top of said chimney, and each chimney projecting more than six times its least thickness above roof shall have at least three four-inch cross walls or two eight-inch walls in its greatest width, and all such chimneys shall be laid in cement mortar as provided for under head "Fire Walls" from the top to the first tier of joist below the roof joists.

Chimneys and stacks connected with steam boilers shall extend not less than ten feet above the woodwork of the roof, or any adjacent roof, and if sawdust, shavings or wood are burned shall extend twenty feet above such roofs and be provided with a spark arrester. Spark arresters shall be placed upon all chimneys and stacks whenever by the City Engineer or Fire Chief deemed necessary for the safety of property.

Chimneys and flues from boilers, restaurants and hotel ranges, bakers' ovens and similar unusually hot flues, shall have the outside exposed to the height of the room in which connection therewith is made or be plastered directly upon the bricks.

All chimneys and flues shall be properly cleaned and all rubbish removed and same left smooth on the inside on completion of building.

(b) Fireplaces:

All fireplaces and chimney breasts where mantels are placed, except as herein otherwise provided, whether intended for ordinary fireplace uses or not, shall have trimmer arches to support the hearth; arches shall be of brick, stone, burnt clay or concrete, at least twenty inches wide measured from the face of the chimney breast, and their length shall not be less than the width of the chimney breast. Wood centers shall be removed from under trimmer arches and no timber shall be placed under any fireplace or hearth. Hearths shall be of brick, tile or stone.

Fireplaces shall have arched heads with an iron arch bar over the top of the opening not less than $\frac{1}{4}$ by $2\frac{1}{2}$ inch, turned up at the ends two inches in each side of a chimney breast, so as to make a perfect bond for arch. All fireplace openings where furred with wood on face shall be surrounded by a brick rim eight inches wide projecting four inches, bonded into brickwork. The firebacks and jambs of all fireplaces shall not be less than eight inches thick, of solid masonry. When a grate is set in a fireplace a lining of firebrick at least two inches thick shall be added to the fireback, unless soapstone, tile or cast iron is used, and filled solidly behind with fireproof material.

No mantel or other woodwork shall be exposed back of a Summer piece; the ironwork of the Summer piece shall be placed against the brick or stonework of the fireplace. No fireplace shall be closed with a wooden fireboard.

Pipes for gas logs or gas grates shall only enter at sides and through the brickwork.

(c) Patent Chimneys:

In lieu of chimneys of brick or stone there may be erected any patent chimney for which a United States patent has been issued and which has been approved in writing by the City Engineer or Fire Chief.

A permit of the City Engineer to use a patent chimney shall not be transferable and may be revoked for failure to erect the chimney as required by the patent or in a workmanlike manner. The name of the

patentee or builder and the date of the latter's patent must be stamped in a conspicuous place on each patent chimney.

All patent chimneys shall be built up from the floor on which they are used, and in no case shall a stovepipe enter the bottom of a patent chimney.

If a patent chimney be erected on the outside of a building it shall rest on a substantial iron bracket, which shall be of metal and fastened to studding with bolts and nuts; screws or lag screws shall not be allowed. When erected on the inside of a building it shall rest on an iron plate not less than one-quarter of an inch in thickness and not less than eight inches of brickwork on top of said iron plate, and shall have a smokeproof opening near the bottom for cleaning it. All patent chimneys shall be braced every four feet of their height. All joints shall be cemented and the bands covering the joints shall be made of the best No. 24 iron and filled with cement to make them smoke and spark proof.

All galvanized iron used for the outside covering of patent chimneys shall be of the best No. 24 iron riveted together with rivets not more than three inches apart, or may be seamed and top and bottom of seams secured by rivets, and shall be ventilated with eight holes not less than one inch in diameter, said holes to be made close to the top of chimney above the roof, so as to permit the escape of hot air; there shall be a space of not less than one inch between the clay pipe and the iron covering. No patent chimney shall be less than one and one-half inches from woodwork, and the opening in the roof and at each floor and ceiling through which it passes shall be closed with an iron plate or other fireproof material, so as to prevent the passage of fire and smoke. Patent chimneys shall not be fastened to the laths or the siding of the building, but shall be securely fastened to the studding or crosspieces with good iron straps, and in no case shall any patent chimney be suspended from any roof timber or floor beams.

No patent chimney shall have more than one inlet. All pipe used for patent chimneys shall be composed of pure calcined clay, not less than one inch in thickness, and shall have the name of the manufacturer stamped into each piece. Patent chimneys built on the inside of a house shall have an opening in any partition enclosing same to permit of cleaning it.

(d) Patent Fireplaces:

All fireplaces connected with patent chimneys shall be set on an iron plate not less than one-quarter of an inch in thickness and not less than three feet nine inches in length by three feet in width, which shall be free from all holes; boards shall not be placed under the iron plate, which shall rest on the floor joists. On top of the iron plate there shall be one inch of concrete or cement, then a course of brick followed by the tiling or marble; the strength of the floor must not be impaired by the cutting out for the fireplace. In lieu of resting on the floor joists, said iron plate may be suspended by wrought iron stirrups of sufficient strength to sustain the fireplace and patent chimney.

The brick jambs of every fireplace or grate opening shall be at least eight inches wide, and the backs shall not be less than eight inches thick; and where fireplaces come over one another, on separate floors, the jamb of the lower fireplace shall be wide enough to carry the patent chimney far enough to one side of the jamb above, so that the patent chimney will pass the upper fireplace in as straight line as possible. Where bends are necessary in patent chimneys, off-sets shall be used; said off-sets shall be made solid and without joists.

The inside dimensions of patent chimneys shall be as follows:

- For fireplace flues, 18 inch opening, 6 inch.
- For fireplace flues, 21 inch opening, 7 inch.
- For fireplace flues, 24 inch opening, 8 inch.
- For ordinary stove flues, 6 inch.
- For French range flues, 8 inch.
- For steel range flues, 8 inch.
- For furnace flues, 8 or 10 inch.

(e) Gas Grates and Gas Logs:

Every opening for a gas grate or a gas log shall be surrounded by brickwork on all sides and over top at least eight inches thick, and provided with, and carefully connected to, a flue not less than 3x12 inches, which flue shall be formed of galvanized iron, joints lapped, riveted and soldered, and the whole enclosed in similar pipes of a size to leave at least $\frac{1}{4}$ inch air space all around between the two pipes, and the outer pipe to be covered with three thicknesses of asbestos paper, said paper to be not less than ten pounds to one hundred square feet. This pipe to be carried up and cut through roof.

(f) Instantaneous Heaters:

Every instantaneous heater shall be provided with a vent pipe not less than three inches in diameter, extending clear through and at least twelve inches above the roof, with a T connection at the top; and around every such vent at all places not exposed, there shall be a galvanized iron sleeve extending the full length of the concealed portion with a clear air space of not less than one inch surrounding the vent. In every room fitted with an instantaneous heater there shall be provided an air vent independent of doors or windows.

(g) Smokepipes:

No smokepipe, stovepipe, terra cotta or earthen pipe, except as elsewhere provided, shall extend through any wall or window, or through the roof of any skylight of any building.

(h) Smokestacks:

Smokestacks of iron or steel may be used in connection with boilers and coffee roasters, provided same are not nearer than twenty inches to any woodwork where passing through floors, ceilings, roofs or partitions, and are protected with a solid metal jacket twelve inches from the stack extending above and not less than twelve inches below the joists, and have metal umbrella to cover the roof opening high enough above the same to permit a free vent. Any woodwork or enclosure of such stack within four feet thereof, other than masonry or tile, shall be metal lathed and plastered or have equivalent protection. Such stacks on the outside of a building shall not be nearer than eighteen inches to any woodwork, or wood lath and plaster, or nearer than twelve inches to any woodwork or wood lath and plaster, protected with metal extending two feet on each side of such stack.

(i) Chimneys to be Extended and Cleaned:

If the City Engineer or Fire Chief deems any chimney unsafe to any adjoining or adjacent building, said chimney shall be carried up four feet above the extreme height of said building; and if an extension of iron pipe is deemed unsafe by said City Engineer or Fire Chief, such extension shall be of brick or of terra cotta pipe.

The owner or occupant of any building shall cause the chimneys thereof to be swept as often as may be required to keep same clean.

(j) Chimneys of Cupolas:

Iron cupolas or chimneys of foundries shall extend at least ten feet above the highest point of any roof within a radius of fifty feet of such cupola, and no woodwork shall be placed within two feet of the cupola.

(k) Cooking Ranges, Ovens and Similar Structures:

Whenever cooking ranges, ovens, coffee roasters, candy kettles and similar structures in which fires are maintained, are set on any wooden floor, such floor shall be protected by a continuous sheet metal bearing plate of not less than No. 12 iron, with all joints securely riveted, extending two feet in front of and the full length of same; the top of said plate shall be covered with not less than two courses of brick or equivalent concrete. The above named ranges or other structures shall not be set against a brick or tile wall with any combustible material between them and the wall, and if set nearer than six inches to a wooden or stud wall or partition, the wall or partition shall be framed four feet higher and one foot wider than the range or other structure, and filled in to its face with brick or tile and plastered, except that old buildings may have in lieu of such framing any wall of the setting, nearer than six inches to a wood or stud wall or partition, sixteen inches thick. The back of any setting (and the end if set in a corner) shall not be less than eight inches thick, and, except where against masonry or tile wall with no wood thereon, shall be extended with masonry or tile not less than four inches thick, to a height of four feet above the top of such range or similar structure.

No wood shall be placed on any masonry or tile wall behind any large range in any hotel, restaurant or boarding house, and all wood lathed and plastered, or wood ceilings, over such ranges, shall be guarded by metal hoods at least nine inches below the ceiling. Ventilating pipes from such hoods shall be of metal at least nine inches from wood lath and plaster or any combustible material, covered with one inch of asbestos or wire mesh, connected to a suitable brick or patent flue, and neither pipe nor flue shall be used for other purposes.

When unavoidable and in buildings already erected only iron or steel vent pipes may be substituted for brick or patent flues if made double with a three-inch continuous air space vented at top and bottom between their inner and outer shells, and no wood, or wood lath and plaster, within twelve inches of the outer shell; and any enclosure of such vent, other than of masonry or tile, shall be of metal lath and plaster. Any portion of such vent pipe that is outside of the building need not be double if not nearer than eighteen inches to any woodwork, or wood lath and plaster, or if not nearer than twelve inches thereto when protected with metal two feet on each side of such stack.

Portable ranges and stoves shall have a metal shield under and twelve inches in front of same, and if the range or stove is nearer to any wood lath and plaster of woodwork than twenty inches, same shall be protected by a metal shield with at least one inch air space behind it, which shield shall extend three feet above the top of range or stove and its whole length.

All low gas stoves shall be placed on iron stands or their equivalent, or the burner shall be at least six inches above the base of the stove, and metal guard plates placed four inches below the burner, and all woodwork under them shall be covered with metal. Wooden floors under large gas cooking ranges shall be protected with metal over asbestos, or one inch of concrete, or one course of brick or tile.

(1) Heating Furnaces:

The top of every heating furnace set in brick shall be covered with sheet iron and brick supported by iron bars with at least two inches of sand on top of brick, so constructed as to be perfectly tight.

The top of every portable heating furnace or smokepipe shall be not less than two feet from the underside of nearest joists or girders, excepting where said joists or girders are protected by metal furring strips one and one-half inches deep and metal plates or plaster and metal lath; but in no case shall the top of the furnace or smokepipe be nearer than fifteen inches to the underside of nearest joists or girders. Such metal protection or plaster above such furnace or smokepipe shall extend not less than one foot each side of such smokepipe and two feet on all sides of such furnace. Every furnace used for heating purposes shall be set on a masonry floor, and there shall not be any woodwork, or wood lath and plaster, within two feet of such furnace, unless said woodwork or wood lath and plaster is protected by metal furring one and one-half inches deep and metal plates or plaster on metal lath, and in no case shall it be nearer than fifteen inches to either smokepipe or furnace.

Where petroleum, or any product of petroleum, is used as fuel for a furnace, the said furnace shall be sunk in a concrete or masonry pit, with a concrete floor sunk not less than six inches below the surrounding floor level, such pit to be at least two feet on all sides larger than the furnace.

In no case shall the smokepipes from a furnace enter the same flue to which the exhaust from an automatic gas water heater is connected.

(m) Furnace Pipes, Boxes and Fittings:

All concealed wall pipes, register boxes and fittings shall be thoroughly covered with two thicknesses of eight-pound asbestos paper cemented to same, and after being placed, all joints shall be covered in the same manner.

All concealed wall pipes and all first floor side wall boxes shall be provided with suitable boots extending to the underside of floor joists and all joists between same to be tightly fitted together and well covered and cemented as above.

The boots at the bottom of all risers and side wall register boxes shall be attached at the time said risers and boxes are placed in the building.

All wall pipes to have full capacity at all points with no square bends. Advantage shall be taken of all available space, including lath, plaster and sheboard, for inlets or throats of side wall register boxes on first floor.

(n) Steam Pipes:

Steam pipes shall not be placed within two inches of any timber or woodwork, unless the timber or woodwork is protected by metal; then the distance shall not be less than one inch.

All steam pipes passing through floors, ceilings, or lath and plaster or wood partitions, shall be protected by a metal tube passing entirely through said floors, ceilings or partitions, one inch larger than the pipe, having a metal cap at the floor.

All pipes or ducts used to convey heated air shall be of metal or other incombustible material.

Pipes used for conveying steam under high pressure shall in no case be less than eight inches from any woodwork, unless protected by magnesia or equivalent pipe covering at least one inch thick, when the distance may be not less than two inches.

All steampipe coverings shall consist of incombustible materials only.

(o) Notice as to Heating Apparatus:

Where hot water, steam, hot air or other heating appliances, or of furnaces, or restaurant or hotel ranges, are hereafter placed in any building, due notice shall first be given the City Engineer or Fire Chief by the person or persons placing same.

Stand Pipes, Hose Reels and Fire Escapes.

Sec. 24. (1) Stand Pipe for Hose Reels:

In every building exceeding fifty-five feet in height and not over one hundred feet, there shall be provided a vertical stand pipe of not less than three inches in diameter. In every building exceeding one hundred feet in height, there shall be provided a vertical stand pipe of not less than four inches in diameter. These stand pipes shall be located in halls near stairways, shall be of wrought iron or steel and together with fittings and connections shall be galvanized, and shall be of such strength as to safely withstand at least three hundred pounds per square inch water pressure, when installed and ready for service. They shall be connected to water mains, or pumps, with pressure on at all times.

In buildings exceeding one hundred feet frontage on two or more streets, there shall be a stand pipe at each end of hall, and there shall be one stand pipe at each stairway.

(b) Connection at Bases:

Where more than one stand pipe is required in a building, they shall be connected at their bases by pipes of size equal to that of largest stand pipe, so that water from any source will supply all the stand pipes.

(c) Arrangement of Pipes and Connections:

Stand pipes shall extend from the cellar to and through the roof, with a hose connection located from five feet six inches to six feet above the floor level, fitted with approved straightway composition gate valve in each story, including cellar, and a hose connection provided above the roof with the valve controlling latter, located in the stand pipe under roof and arranged to be operated both from above and below roof. A suitable three-quarter drain pipe and valve shall be provided under the roof for each roof connection. This stand pipe may be connected with Fire Department stand pipe at level of first floor, and if connected to said stand pipe there shall be a horizontal check valve outside of building.

(d) Hose:

Hose sufficient to reach all parts of the floor shall be attached to each outlet in the building, and hose for roof-hydrant may be placed on rack on top floor near the scuttle leading to the roof. Hose shall be 1½ inches in diameter, in 50-foot length, and provided with standard couplings (with lugs) at each end, all couplings to be of the same hose thread as that in use by the Fire Department, with an increase from 1½ to 3 inches to fit valve or stand pipe.

(e) Kind of Hose:

Hose shall be approved cotton rubber-lined made under specifications recommended by the National Board of Fire Underwriters.

(f) Hose Fittings:

Each line of hose shall be provided with washers at both ends, and be fitted with play pipe or nozzle of Underwriter pattern, having handles at the base and with discharge outlet not less than five-eighths of an inch in diameter. One spanner shall be located at each hose connection throughout the building.

(g) Water Supplies:

In addition to the provision made for connections to stand pipes, the water supply may be from the city water where pressure is sufficient, automatic fire pump of five hundred gallons or more capacity per minute, elevated tank or steel pressure tank of not less than five thousand gallons capacity.

(h) Check Valve Under Tank:

Where a stand pipe is connected to a tank there shall be a straight-way check valve in a horizontal section of pipe between the first hose outlet in connecting pipe and tank, and said tank must be filled by a separate pipe and not through the stand pipe.

(i) Location of Pumps and Boilers:

Where pumps constituting a supply to stand pipes are located in the lowest story of a building, they shall be placed not less than two feet above the floor level, and boilers upon which pumps depend for steam shall be arranged so that flooding of fires under same will be impossible.

(j) Elevator:

In every building exceeding one hundred feet in height at least one passenger elevator shall be kept in readiness for immediate use by the Fire Department during all hours of the day and night, including holidays and Sundays.

(k) Auxiliary Fire Appliances:

All existing buildings and those hereafter erected exceeding one hundred feet in height shall be provided with such auxiliary fire apparatus and appliances as wrenches, spanners, fire extinguishers, hooks, axes and pails, as may be required by the Chief of the Fire Department; all of said apparatus to conform in design to those in use by the Fire Department.

(2) Fire Escapes:

(a) Every apartment house, tenement house or dwelling house occupied by or built to be occupied by three or more families and every building already erected, or that may hereafter be erected, more than two stories in height, occupied and used as a hotel, apartment-hotel or lodging house, and every boarding house, having more than fifteen sleeping rooms above the basement story, and every factory, mill, manufactory or workshop, hospital, asylum, or institution for the care and treatment of individuals, and every building three stories and over in height used or occupied as a store or workroom, and every building in whole or in part occupied or used as a school or place of instruction or assembly, and every office building three stories or more in height, shall be provided with such good and sufficient fire-escapes, stairways, or other means of egress in case of fire as shall be directed by the Chief of the Fire Department.

The owner or owners of any building upon which a fire-escape is erected shall keep the same in good repair and properly painted.

Fire-escapes on the outside of buildings shall consist of open iron balconies and stairways.

Fire-escapes may project into the public highway to a distance not greater than four feet beyond the building line.

The stairways shall be placed at an angle of not more than sixty degrees, with steps not less than six inches in width and twenty inches in length, and with a rise of not more than nine inches.

The balcony on the top floor, except in case of a front fire-escape, shall be provided with a goose-neck ladder leading from said balcony to and above the roof.

(b) Balconies:

The balconies shall be not less than three feet in width and placed where directed by the Chief of the Fire Department at each story above the ground floor.

They shall be below and not more than one foot below the window or door sills and extend in front of and not less than nine inches beyond the jambs of the openings.

There shall be a landing not less than twenty-four inches square at the head and foot of each stairway.

The stairway opening on each platform shall be of a size sufficient to provide clear headway.

(c) Floors of Balconies:

The floors of balconies shall be of wrought iron or steel slate not less than one and one-half inches by three-eighths of an inch, placed not more than one and one-quarter inches apart, and well secured and riveted to iron battens one and a half inches by three-eighths of an inch, not over three feet apart and riveted at the intersections. The openings for stairways in all balconies shall be not less than twenty-one inches wide and thirty-six inches long, and such openings shall have no covers of any kind.

The platforms or balconies shall be constructed and erected to safely sustain in all their parts a safe load at a ratio of four to one, of not less than eighty pounds per square foot of surface.

(d) Railings:

The outside top rail shall extend around the entire length of the platform and in all cases shall go through the wall at each end, and be properly secured by nuts and four-inch square washers at least three-eighths of an inch thick, and no top rail shall be connected at angles by cast iron. The top rail of balconies shall be one and three-quarters inches by one-half inch of wrought iron, or one and a half inch angle iron one-quarter inch thick. The bottom rails shall be one and one-half inches by three-eighths of an inch wrought iron or steel, or one and one-half inch angle iron, one-quarter inch thick, well leaded into the wall. The standards or filling-in bars shall be not less than one-half inch round or square wrought iron or steel, well riveted to the top and bottom rails and platform frame. Such standards or filling-in bars shall be securely braced by outside brackets at suitable intervals, and shall be placed not more than six inches from centers; the height of railings shall in no case be less than two feet nine inches.

(e) Stairways:

The stairways shall be constructed and erected to fully sustain in all their parts a safe load at a ratio of four to one of not less than one hundred pounds per step, with the exception of the tread which must safely sustain at said ratio a load of two hundred pounds. The treads shall be flat open treads not less than six inches wide and with a rise of not more than nine inches. The stairs shall be not less than twenty inches wide. The strings shall be not less than three-inch channels of iron or steel, or other shape equally strong, and shall rest upon and be fastened to a bracket, which shall be fastened through the wall as herein-after provided. The strings shall be securely fastened to the balcony at the top, and the steps in all cases shall be double-riveted or bolted to the strings. The stairs shall have three-quarter inch handrails of wrought iron, well braced.

(f) Brackets:

The brackets shall be not less than one-half inch by one and three-quarters inches wrought iron placed edgewise, or one and three-quarter inch angle iron one-quarter inch thick, well braced; they shall be not more than four feet apart, and shall be braced by means of not less than three-quarters of an inch square wrought iron, and shall extend two-thirds of the width of the respective balconies or brackets. The brackets shall go through the wall and be turned down three inches, or be properly secured by nuts and four-inch square washers at least three-eighths of an inch thick.

On new buildings the brackets shall be set as the walls are being built.

When brackets are built on buildings already erected the part going through the wall shall be not less than one inch in diameter with screw nuts and washers not less than five inches square and one-half inch thick.

(g) Drop-Ladders:

A proper drop-ladder shall be required from the lower balcony when the floor of such balcony is more than fourteen feet above the sidewalk or ground; if the stairway terminates on top of an awning the awning must be cut away to give an opening of the same size as required in the floors of the balcony.

(h) Incumbrances on Fire-Escapes:

No person shall at any time place any incumbrances of any kind whatsoever before or upon any fire-escape, balcony or stairway.

It shall be the duty of every fireman and policeman who shall discover any fire-escape, balcony or stairway of any fire-escape incumbered in any way to forthwith report the same to the commanding officer of his company or precinct, and such commanding officer shall forthwith cause the occupant of the premises or apartment to which said fire-escape balcony or stairway is attached or for whose use the same is provided, to be notified, either verbally or in writing to remove such incumbrances and keep the same clear.

If said notice shall not be complied with by the removal, forthwith, of such incumbrances, and keeping said fire-escape, balcony or stairway free from incumbrance, then it shall be the duty of said commanding officer to apply to a police magistrate for a warrant for the arrest of the occupant or occupants of the said premises or apartment of which the fire-escape forms a part, and the said parties shall be brought before the said magistrate, as for a misdemeanor.

(i) Scuttle Ladders:

All buildings requiring fire-escapes shall have stationary iron ladders leading to the scuttle opening in the roof thereof, and all scuttles and ladders shall be kept so as to be ready for use at all times.

(j) Bulkhead Stairs and Doors:

If a bulkhead is used instead of a scuttle, it shall have stairs with sufficient guard or hand-rail leading to the roof. In case the building shall be occupied by more than one family, the door in the bulkhead or any scuttle shall at no time be locked, but may be fastened on the inside by movable bolts or hooks.

Special Regulation for Public and Semi-Public Buildings.**Sec. 25. (a) Public Buildings:**

In all public buildings or buildings of a public character—such as hotels, churches, restaurants, railroad depots, public halls, and other buildings used or intended to be used for purposes of public assembly, amuse-

ment or instruction and including department stores and other business and manufacturing buildings where large numbers of people are congregated, the halls, doors, stairways, seats, passageways and aisles, and all lighting and heating appliances and apparatus shall be arranged as the City Engineer shall direct to facilitate egress in case of fire or accident, and to afford the requisite and proper accommodation for the public protection in such cases.

All aisles and passageways in said buildings shall be kept free from camp-stools, chairs, sofas and other obstructions, and no person other than an employee, policeman or fireman shall be allowed to stand in or occupy any of said aisles or passageways, during any performance, service, exhibition, lecture, concert, ball or any public assemblage.

(b) In every frame building of more than one story in height hereafter erected outside of the established fire limits in the City of Fresno, to be used as an office building, store, factory, school, hospital, sanitorium, asylum, apartment or tenement house, or a building which contains an assembly hall on any floor above the first floor, and covering a ground area of three thousand to five thousand square feet there shall be not less than two continuous lines of stairs from the top floor to the sidewalk, yard or court.

In every such building covering a ground area of more than five thousand square feet there shall be one additional line of stairs for each five thousand square feet of ground area covered or fractional part thereof in excess of that required for five thousand square feet.

The stairways must be located as far from each other as possible and the building must be planned so that all parts thereof shall be easily accessible to two stairways.

If suitable fire-escapes are put up, one stairway may be omitted from the number above required; provided, the substitution of fire-escapes for the stairway is approved by the Fire Chief; but in no case shall there be a less number than two stairways from any floor, one of which may be an outside or service stairway.

The width of stairways leading to the street shall be not less than three feet six inches on the top or uppermost floor. Four inches shall be added to the width for each floor below the top floor until a width of four feet six inches is obtained. The width of the stairways to the yard or court shall be not less than two feet on the top or uppermost floor. Two inches shall be added to the width for each floor below the top floor until a width of two feet six inches is obtained.

The main hallways connecting with the street stairways shall be not less than four feet wide and no hallway shall be less than three feet wide.

On each floor above the first or ground floor, there shall be a sufficient number of outlets for hose attachment that all parts of the building may be reached with a hose fifty feet long, and every outlet shall be supplied with hose and fittings as may be required by the Fire Chief. The stand pipe shall be not less than one and one-fourth inches inside diameter.

Stairways leading to the basement of any such building where a fire is maintained for a part or all of the time, the stairway shall be enclosed by a brick wall or by a studding wall with metal lath and plaster on both sides and on the soffit of the stairs, which wall shall extend from the bottom of the basement to the underside of the floor.

There shall be a metal-clad door at the bottom of the stairway and if any glass is used in the door or in the enclosing walls about the stairs, it must be wired glass not less than one-quarter inch in thickness.

The furnace room or room in which a fire is maintained for any purpose, in the basement of such building shall be constructed in the same

manner as required for the construction of enclosures about stairways and the underside of the floor joists must be protected by metal lath and plastering.

(c) Any room used for the installation of a heating or ventilating plant or for any machinery whatever in a building containing a church, lecture room, music hall or other public hall, shall have brick walls surrounding the same and extending from floor to ceiling. The ceiling of any such room shall be lathed with metal lath and plastered and all openings through its walls into any other part of the building shall be protected by fireproof doors built as specified in Section 22 (w) hereof or by metal sash with wire glass in frames of metal or covered with metal.

In said buildings the underside of every stairway and gallery, both sides of every vestibule wall and the ceiling of every vestibule shall be lathed with metal lath and plastered; also if there is a basement under any audience room all walls, partitions and ceilings in such basement shall be lathed with metal lath and plastered.

In said buildings all seats and pews shall be arranged so that there shall be not less than thirty-two inches from the back of one seat to the back of the next seat parallel thereto in a horizontal line. Where the seating capacity of a floor is not more than five hundred persons, the aggregate width of the aisles thereof shall not be less than ten feet, and the aggregate width of such aisles shall be increased one foot for each increase of seating capacity of one hundred persons or fraction thereof in excess of five hundred.

In said buildings no staircase leading to a gallery containing two hundred seats or less shall be less than four feet in width, and same shall be increased twelve inches in width for each one hundred additional seats or fraction thereof in excess of two hundred. There shall be proper hand rails on each side of any stairway leading to gallery or basement. There shall be no winders in any stairway, and every landing shall be the full aggregate width of both flights leading to the same, and the depth of such landing or landings shall equal the width of one run of stairs. The minimum head room over any stairway at any point shall be not less than eight feet six inches.

In said buildings the aggregate width of the exits shall be at least fifteen per cent greater than required for the aisles, and each gallery shall have an exit separate and distinct from other exit, direct to the vestibule or street.

(d) All doors used for the ingress or egress of the public, in any building or part of building used for public assemblies, shall be so constructed that they shall open both inwardly and outwardly. All buildings hereafter altered for the use of public assemblies shall be made to conform to the provisions of this section.

(e) If it is, at any time, in any building, thought advisable by the City Engineer acting in conjunction with the Fire Chief and the Building Committee of the Board of Trustees, that any alterations or changes shall be made in order to provide greater safety to persons or property, or greater facility for egress from a building, the said City Engineer shall serve a written or printed notice upon the proper person, firm or corporation, stating what such alterations or changes should be, and it shall then be the duty of such person, firm or corporation to make such changes within such time as may be specified in the notice.

Boiler and Drying Rooms and Smoke Houses.

Sec. 26. (a) All walls surrounding a boiler room shall be of masonry or terra cotta for its full height, and the ceiling of the entire boiler room

shall be plastered or metal lath. Every boiler room shall be provided with a sump hole or blow-off chamber, for the purpose of blowing off the steam from the boiler, independent of the sewer.

Any opening into a boiler room from the interior of the building shall have a door or shutter constructed as specified in Section 22 (w) of this ordinance, arranged to close automatically; and where oil is burned, every doorway shall have a masonry or terra cotta sill rising not less than eight inches from the floor. No wood shall be used in the construction of the floor of any boiler room.

In frame buildings there shall be a clear space above the boiler of not less than five feet, and above the breeching of not less than two feet, provided that a sheet of No. 18 iron shall be suspended not less than two inches from the ceiling, over and one foot beyond breeching.

Every boiler room shall be provided with a stand pipe not less than $1\frac{1}{2}$ inches in diameter, with at least twenty-five feet of hose not less than one and one-half inches in diameter attached thereto.

(b) The floor under every drying room in a laundry shall be of masonry or tile. No part of such drying room shall be nearer to any partition constructed in whole or in part of wood than three feet. Steam pipes in such rooms shall not be nearer to woodwork than three inches, and shall be protected from contact with inflammable materials by wire netting. Hanging racks in drying rooms shall be of metal.

(c) Every smoke house shall be constructed of fireproof material throughout, with all walls, floors and roofs of masonry, and the walls shall be built up at least three feet higher than the roof. An iron grate shall be placed three feet above the floor, and the hanging rails shall be of iron.

Special Regulations for Theaters. -----

Sec. 27. (a) Every theater or opera house, or other building intended to be used for theatrical or operatic purposes, or for public resort or entertainments of any kind, hereafter erected, for the accommodation of more than three hundred persons, shall be built of masonry construction throughout.

No building, which at the time of the passage of this ordinance, is not in actual use for theatrical or operatic purposes, and no building hereafter erected not in conformity with the requirements of this Section, shall be used for theatrical or operatic purposes, or for public entertainments of any kind, until the same shall have been made to conform to the requirements of this Section.

No building hereinbefore described shall be opened to the public for theatrical or operatic purposes, or for public entertainments of any kind, until the City Engineer shall have approved the same in writing as conforming to the requirements of this Section, nor until the Chief of the Fire Department shall have certified in writing that all the appliances for extinguishing of fire or guarding against the same conform to this ordinance and to the special requirements of this Section and are in a complete and satisfactory working condition.

(b) Every such building shall have at least one front on the street, and in such front there shall be suitable means of entrance and exit for the audience.

In addition to the aforesaid entrances and exits on the street, there shall be reserved for service in case of an emergency, an open court or space on the side not bordering on the street, where said building is located on a corner lot; and on both sides of said building, where there is but one frontage on the street. The width of such open court or courts

shall be not less than seven feet where the seating capacity does not exceed one thousand people, exceeding one thousand and not more than eighteen hundred people, eight feet in width, and exceeding eighteen hundred people, ten feet in width. Said open court or courts shall begin on a line with or near the proscenium wall and shall extend the length of the auditorium proper, to or near the wall separating the same from the entrance lobby or vestibule.

A separate and distinct corridor shall continue to the street, from each open court, through such superstructure as may be built on the street side of the auditorium, with continuous walls of brick or fireproof material on each side of the entire length of said corridor or corridors, and the ceiling and floors shall be fireproof. Said corridor or corridors shall not be reduced in width to more than three feet less than the width of the open court or courts, and there shall be no projection in the same; the outer openings to be provided with doors or gates opening toward the street. During the performance the doors or gates in the corridors shall be kept open by proper fastenings; at other times they may be closed and fastened by movable bolts and latches.

The said open courts and corridors shall not be used for storage purposes, or for any purpose whatsoever except for exit and entrance from and to the auditorium and stage, and must be kept clear and free during performances.

The level of said corridors shall be graded to the sidewalk and made flush therewith at all points at the street entrances.

(c) The entrance of the main front of the building shall not be on a higher level from the sidewalk than four steps, but this shall not preclude the use of an additional number of steps at the street entrance to the sides or rear of the building, as may be necessary to overcome the difference in grades of sidewalk.

To overcome any difference of level in and between courts, corridors, lobbies, passages and aisles on the ground floor, gradients shall be employed of not over one foot in twelve feet with no perpendicular rises.

From the auditorium opening into the said open courts, or on the side street, there shall be not less than two exits on each side in each tier from and including the parquet and each and every gallery. Each exit shall be at least five feet in width in the clear and provided with fire-doors constructed as hereinbefore in this ordinance described for fire-proof doors. All of said doors shall open outwardly, and shall be fastened with movable bolts, the bolts to be kept drawn during performances.

There shall be balconies not less than four feet in width in the said open court or courts at each level or tier above the parquet, on each side of the auditorium, of sufficient length to embrace the two exits, and from said balconies there shall be staircases extending to the ground level, with a rise of not over eight and one-half inches to a step, and not less than nine inches tread exclusive of the nosing. The staircase from the upper balcony to the next below shall be not less than thirty inches in width in the clear, and from the first balcony to the ground three feet in width in the clear, where the seating capacity of the auditorium is for one thousand people or less, three feet and six inches in the clear where exceeding one thousand and not more than eighteen hundred people, four feet in the clear where exceeding eighteen hundred people, and not more than twenty-five hundred people, and four feet six inches in the clear where the seating capacity is more than twenty-five hundred people. All the before mentioned balconies and staircases shall be constructed of wrought iron or steel throughout, except that the treads may be of cast iron, and be of ample strength to sustain the load to be carried by them,

and they shall be covered with a metal hood of awning, to be constructed in such manner as shall be approved by the City Engineer.

Where one side of the building borders on a street, there shall be balconies and staircases of like capacity and kind, as before mentioned, carried to the ground.

(d) When located on a corner lot that portion of the premises bordering on the side street and not required for the use of the theater may, if such portion be of fireproof construction, and not more than twenty-five feet average width, be used for offices, stores or apartments, provided the walls separating this portion from the theater proper are carried up solidly to and through the roof, and that an exit is provided for the theater, on each tier, equal to the combined width of exits opening on opposite sides in each tier, communicating with balconies and staircases leading to the street in the manner provided elsewhere in this Section.

Nothing herein contained shall prevent a roof garden, art gallery, or rooms for similar purposes being placed above a theater or public building, provided the floor of the same forming the roof over such theater or building shall be constructed of iron or steel and fireproof materials, and that said floor shall have no covering boards or sleepers of wood, but of tile or cement. Every roof over said garden or rooms shall have all supports and rafters of iron or steel, and be covered with glass or fireproof materials, or both, but no such roof garden, art gallery or room for any public purpose shall be placed over or above that portion of any theater or other building which is used as a stage.

(e) No workshop, storage or general property room shall be allowed above the auditorium or stage, or under the same, or in any of the fly galleries, unless all of such rooms or shops are located in the rear of or at the side of the stage, and in such cases they shall be separated from the stage by a brick wall not less than twelve inches in thickness, and the openings leading into said portion shall have self-closing standard fire-doors.

(f) No portion of any building hereafter erected or altered, used or intended to be used for theatrical or other purposes as in this Section specified, shall be occupied or used as a hotel, boarding or lodging house, factory, workshop or manufactory, or for storage purposes, except as may be hereafter specially provided for. Said restriction relates not only to that portion of the building which contains the auditorium and the stage, but applies also to the entire structure in conjunction therewith.

No store or room contained in the building, or the offices, stores or apartments adjoining, as aforesaid, shall be let or used for carrying on any business dealing in any article or material dangerous to life, except under such conditions as may be prescribed by the Fire Department, under authority of a written permit issued by the Chief of said Department, or for manufacturing purposes.

No lodging accommodations shall be allowed in any part of the building communicating with the auditorium.

(g) Interior walls built of fireproof materials shall separate the auditorium from the entrance vestibule, and from any room or rooms over the same, also from any lobbies, corridors, refreshment or other rooms; and in all such walls the windows and door frames and all sash and doors shall be fireproof; the window frames and sash shall be of metal of standard construction, and the sash made stationary and glazed with wired glass not less than one quarter inch in thickness, and each pane or unit measuring not more than twenty-four by thirty inches; the doors shall be made to close automatically and be of standard pattern and make in every respect.

(h) All staircases for the use of the audience shall be inclosed with walls of brick, or of fireproof materials approved by the City Engineer, in the stories through which they pass, and the openings to said staircases from each tier shall be the full width of staircase. No door shall open immediately upon a flight of stairs, but a landing at least the width of the door shall be provided between such stairs and such floor.

(i) A fire wall, built of brick, not less than twelve inches in any portion of same shall separate the auditorium from the stage, and the same shall extend at least four feet above the stage roof, or the auditorium roof, if the latter be the higher, and shall be coped.

Above the proscenium opening there shall be an iron girder of sufficient strength to safely support the load above and the same shall be covered with fireproof material not less than four inches in thickness.

Should there be constructed an orchestra over the stage, above the proscenium opening, the said orchestra shall be placed on the auditorium side of the proscenium fire wall, and shall be entered only from the auditorium side of the said wall.

The molded frame around the proscenium opening shall be formed entirely of fireproof materials; if metal is used, the metal shall be filled in solid with non-combustible material and securely anchored to the wall with iron.

(j) The proscenium opening shall be provided with a fireproof metal curtain, or a curtain of asbestos, or other fireproof material approved by the City Engineer, overlapping the brick proscenium wall at each side not less than twelve inches, and sliding vertically at each side within iron grooves or channels to a depth of not less than twelve inches, said grooves or channels to be securely bolted to the brick wall and extend to a height of not less than three feet above the top of the curtain when raised to its full limit. Said fireproof curtain shall be raised at the commencement of each performance, lowered between each act, and lowered at the close of said performance, and be operated by approved machinery for that purpose. If the proscenium curtain be of asbestos, that material shall be re-inforced with wire or wire spun in the asbestos, and at the bottom of the curtain shall be placed a rigid metallic rod or bar of proper weight, securely fastened to the curtain and covered over with like material as the curtain itself, to carry down the curtain by the weight of the said rod or bar when released. The excess weight of the curtain is to be overcome by a check-rope of cotton or hemp, extending to the floor on both sides of the stage, so that the cutting or burning of which will release the curtain and the same will then descend at its normal rate of speed. The proscenium curtain shall be placed, at the nearest point, at least three feet distant from the foot-lights.

The provisions of this paragraph shall apply to existing theaters, where a stage is used in connection therewith.

(k) No doorway or opening through the proscenium wall, from the auditorium, shall be allowed above the level of the first floor, and such first floor openings shall have self-closing standard fire-doors at each side of the wall, and the openings, if any, below the stage shall each have a self-closing standard fire-door, and all of the said doors shall be hung so as to be opened from either side of the wall at all times. There shall be provided over the stage metal skylights, of an area or combined area of at least one-twelfth of the area of said stage, fitted with rolling sash and glazed with glass not exceeding one-eighth of an inch thick, and each pane thereof measuring not less than three hundred square inches.

The rolling sash shall be fitted with brass wheels not less than two and one-half inches in diameter, and latter shall roll on brass tracks

extending the entire length of the sash. The portion of the tracks extending from the edge of the curb of the skylight to the end of the incline may be made of iron.

These skylights shall be set on curbs, so that the lowest portion of the tracks upon which they slide shall be not less than twelve inches above the roof.

The whole of which skylight shall be so constructed as to open instantly on the cutting or burning of a hempen cord, which shall be arranged to hold said skylights closed, or some other equally simple approved automatic device for opening them may be provided. Immediately underneath the glass of said skylights there shall be wire netting, but wire glass shall not be used in lieu of this requirement.

(1) The roof over the stage shall be provided with a shaft of galvanized iron extending from the ceiling line up through and at least four feet above the roof and have a raised cover at the top for the escape of smoke. The least inside diameter, or the least horizontal measurement if the shaft be of other shape than circular, shall be forty-eight inches. At the bottom of this shaft, on a plane with the ceiling, shall be a galvanized sheet iron door in two parts, each part separately hinged and kept closed by fusible links, so that in case of fire the doors will instantly open downwards by their own weight.

(m) All that portion of the stage not comprised in the working scenery, traps and other mechanical apparatus, for the presentation of a scene, usually equal to the width of the proscenium opening, shall be built of iron or steel beams filled in between with fireproof material, and all girders for the support of said beams shall be of wrought iron or rolled steel.

The fly-galleries and the tie-galleries entire, including pin-rails, shall be constructed of iron or steel, and the floors of said galleries shall be composed of iron or steel beams, filled in with fireproof materials, and no wood boards or sleepers shall be used as covering over beams, but the said floors shall be entirely fireproof.

The gridiron or rigging loft shall have a lattice iron floor, and be readily accessible by iron stairways.

All stage scenery, curtains and decorations made of combustible materials, and all woodwork on or about the stage, shall be painted or saturated with some non-combustible material, or otherwise rendered safe against fire, and the finishing coats of paint applied to all woodwork throughout the entire building shall be of such kind as will resist fire to the satisfaction of the City Engineer.

(n) The roof over the auditorium and the entire main floor of the auditorium and vestibule, also the entire superstructure over the entrance, lobby and corridors, and all galleries and supports for the same in the auditorium, shall be constructed of iron or steel and fireproof materials, not excluding the use of wood floor boards and necessary sleepers to fasten the same to, but such sleepers shall not mean timbers of support, and the space between the sleepers, excepting the portion under the stepping in the galleries, which shall be properly fire-stopped, which shall be solidly filled with incombustible material up to the under side of the floor boards.

The fronts of each gallery shall be entirely formed of fireproof materials, except the capping, which may be made of wood.

The ceiling under each gallery shall be entirely formed of fireproof materials.

The ceiling of the auditorium shall be formed of fireproof materials.

All lathing, whenever used, shall be of wire or other metal on metal studding.

The partitions in that portion of the building which contains the auditorium, the entrance and vestibule and every room and passage devoted to the use of the audience, shall be constructed of fireproof materials, including the furring of outside or other walls.

None of the walls or ceilings shall be covered with wood, sheathing, wood wainscoting, canvass, or any combustible material.

But this shall not preclude the construction of a wood sounding board over orchestra pit when the same extends back of and below the overhang of the stage; provided the said wood sheathing be properly fire-stopped by a twelve-inch brick wall back of same, and also have a proper fireproof construction directly under the overhang of the stage extending from the brick wall to the apron of the stage.

(o) Actor's dressing rooms shall not be placed on the stage, under the stage, over the stage, on the fly-galleries, nor under the auditorium, but shall be placed in a separate section provided for that purpose.

The wall separating said section containing the actor's dressing rooms from the stage shall be not less than twelve inches in thickness, and the openings therefrom to stage shall be protected with standard self-closing fire-doors. The partitions dividing the dressing-rooms together with the partitions of every passageway from the same to the stage, and all other partitions on or about the sides of the stage, or fireproof portion thereof, shall be constructed of fireproof material not less than four inches in thickness approved by the City Engineer. All doors in any of said partitions shall be standard fire doors.

All dressing-rooms shall have an independent exit leading directly into a court or street, and shall be ventilated by windows in the external wall.

All shelving and cupboards in each and every dressing-room, property room or other storage rooms, shall be constructed of metal, slate, or some fireproof material.

All windows where accessible, except as in this section otherwise specified, shall be arranged to open.

None of the windows in outside walls shall have fixed sashes, fixed iron grills or bars; these may be arranged to hinge and lock, but must be left unlocked during performances.

(p) All seats in the auditorium excepting those contained in boxes, shall be not less than thirty-two inches from back to back, measured in a horizontal direction, and firmly secured to the floor. No seat in the auditorium shall have more than six seats intervening between it and an aisle, on either side.

No stool or seat shall be placed in any aisle.

All platforms in galleries formed to receive the seats shall be not more than twenty-four inches in height of riser, nor less than thirty-two inches in width of platform.

All aisles on the respective floors in the auditorium, having seats on both sides of same, shall be not less than three feet wide where they begin, and shall be increased in width toward the exits in the ratio of one and one-half inches to five running feet. Aisles having seats on one side only, shall be not less than two feet six inches wide at their beginning, and increased in width the same as aisles having seats on both sides.

(q) The aggregate capacity of the foyers, lobbies, corridors, passages and rooms for the use of the audience, not including aisle space between seats, shall on each floor or gallery, be sufficient to contain the entire

number to be accommodated on said floor or gallery, in the ratio of one hundred and fifty superficial feet of floor space for every one hundred persons.

Gradients or inclined planes shall be employed instead of steps where possible to overcome slight difference of level in or between aisles, corridors and passages.

(r) Every theater accommodating three hundred persons shall have at least two exits; when accommodating five hundred persons, at least three exits shall be provided; these exits not referring to or including the exits to the open court at the side of the theater.

Doorways of exit or entrance for the use of the public shall be not less than five feet in width, not including the fire exit doorways, and for every additional one hundred persons or fraction thereof in excess of five hundred, to be accommodated, an aggregate of twenty inches additional exit width must be provided.

(s) All doors for exit or entrance shall open outwardly and be hung to swing in such manner as not to become an obstruction in a passage or corridors, and no such doors shall be closed and locked when the building is open to the public.

Distinct and separate places of exit and entrance shall be provided for each gallery above the first gallery.

A common place of exit and entrance may serve for the main floor of the auditorium and the first gallery, provided its capacity be equal to the aggregate capacity of the outlets from the main floor and the said gallery.

No passage leading to any stairway communicating with any entrance or exit, not including fire exits, shall be less than four feet in width in any part thereof.

(t) All stairs within the building shall be constructed of fireproof material throughout, as is elsewhere in this ordinance required.

Stairs from balconies and galleries shall not communicate with the basement or cellar.

All stairs shall have treads of uniform width and risers of uniform height throughout in each flight.

No stairways from galleries shall be less than four feet in width. Where accommodation is provided in a gallery for more than one hundred people there shall be at least two stairs extending to the ground arranged on opposite sides of the gallery, and for every additional fifty people or fraction thereof in excess of the first one hundred to be accommodated six inches shall be added to the width proportionately divided between the two flights.

The width of all stairs shall be measured in the clear between hand-rails.

In no case shall the risers of any stairs exceed seven and a half inches in height, nor shall the treads exclusive of nosings, be less than ten and one-half inches wide in straight stairs.

No circular or winding stairs for the use of the public shall be permitted.

Where the seating capacity is for more than one thousand people, there shall be at least two independent staircases with direct exterior outlets provided for each gallery in the auditorium; where there are not more than two galleries, the stairs shall be located on opposite sides of said galleries. Where there are more than two galleries one or more additional staircases shall be provided, the outlets from which shall com-

municate directly with the principal exit or other exterior outlets. All said staircases shall be of width proportioned to the gallery accommodations as elsewhere herein prescribed. Where the seating capacity is for one thousand people, or less, two direct lines of staircases only shall be required, located on opposite sides of the galleries, and in both acses shall extend from the sidewalk level to the upper gallery, with outlits from each gallery to each of said staircases.

At least two independent direct exterior outlets shall be provided for the service of the stage and shall be located on the opposite sides of the same.

All inside stairways leading to the upper galleries to the auditorium shall be inclosed on both sides with walls of fireproof materials. Stairs leading to the first or lower gallery may be left open on one side, in which case they shall be constructed as herein provided for similar stairs leading from the entrance hall to the main floor of the auditorium. But in no case shall stairs leading to any gallery be left open on both sides.

When straight stairs return directly on themselves, a landing of the full width of both flights, without any steps, shall be provided. The outer line of landings shall be curved to a radius of not less than two feet, to avoid square angles. Stairs turning at an angle shall have a proper landing without winders introduced at said turn. In stairs, when two side flights connect with one main flight, no winders shall be introduced, and the width of the main flight shall be at least equal to the aggregate width of the side flights. All stairs shall have proper landings introduced at convenient distances.

All inclosed stair-cases shall have, on both sides, strong hand-rails firmly secured to the wall about three inches distant therefrom and about three feet above the stairs, but said hand-rails shall not run on level platforms and landings where the same are of greater length than the width of the stairs.

All staircases eight feet and over in width shall be provided with a center hand-rail of metal, not less than two inches in diameter, placed at a height of about three feet above the center of the treads, and supported on wrought metal or brass standards of sufficient strength, placed not nearer than four feet nor more than six feet apart, and securely bolted to the treads or risers of stairs, or both, and at the head of each flight of stairs, on each landing, the post or standard shall be at least six feet in height, to which the rail shall be secured.

(u) Every steam boiler which may be required for heating or other purposes shall be located outside of the building, either under the sidewalk or in an extension, but in no case under or within any portion of the building used for theatrical purposes, and the space allotted to the same shall be inclosed by walls of masonry on all sides, and the ceiling of such space shall be constructed of fireproof materials. All doorways in said walls connecting with the building shall have standard automatic sliding fire doors.

No floor register for heating, ventilating or other purposes shall be permitted.

No coil or radiator shall be placed in any aisle or passageway used as an exit, and thereby reduce the same to less than the width required by this section; but all said coils and radiators shall be placed in recesses formed in the wall or partition to receive the same.

All supply, return or exhaust pipes shall be properly incased where passing through floors or near woodwork.

(v) Stand pipes of not less than four inches in diameter shall be provided with hose connections as follows: One on each side of the audi-

torium in each tier, one on each side of the stage in each tier, one within ten feet of the door of the property room, one within ten feet of the door of the carpenter's shop and scenery storage room.

All of such stand pipes and hose connections shall be kept clear of obstructions.

Said stand pipes shall receive their supply of water from at least one of the following sources:

(1) From a gravity tank located over stage roof of not less than five thousand gallons capacity.

(2) Approved steel pressure tank of not less than five thousand gallons total capacity, located on stage roof or not lower than gridiron floor.

(3) Automatic fire pump of not less than five hundred gallons capacity per minute.

(4) From city mains where pressure is not less than twenty-five pounds per square inch at level of highest hose outlet.

Pipes shall be fitted with approved straightway composition gate valves at hose outlets, and the thread of all connections shall be uniform with that in use by the local Fire Department.

One spanner to be located at each hose connection.

Pipes shall be kept constantly filled with water under pressure and be ready for immediate use at all times.

In addition to the requirements contained in this section, the stand pipes shall have a Siamese steamer connection and conform to all other requirements contained in Section 24 of this ordinance covering stand pipe installation.

A sufficient quantity of approved linen, cotton rubber lined, or rubber hose not less than two and one-half inches in diameter, in fifty-foot lengths, but not less than fifty feet in total length, shall be kept attached to each hose connection. Hose shall be fitted with washers and equipped with couplings and nozzles, the thread of which shall be uniform with that in use by the local Fire Department.

The stand pipe equipment above described to be installed independently of and without connection to the automatic sprinkler system required under this section.

(w) A system of automatic sprinklers approved by the City Engineer shall be installed throughout the entire stage section of the theater located in the rear of the proscenium walls; this is to include under roof, under gridiron, under galleries, under the stage, in all dressing rooms, in all workshops, property and all other rooms and passageways.

There shall be an independent water supply to the sprinklers which may consist of any one of the following:

(1) Gravity tank of not less than ten thousand gallons capacity, and elevated not less than twenty-five feet above the highest sprinkler.

(2) Approved steel pressure tank of not less than seven thousand five hundred gallons capacity, located not lower than the highest line of sprinklers.

(3) Direct supply from the city water mains where the pressure is sufficient to maintain not less than twenty-five pounds at highest line of sprinklers when same are in operation.

In addition to one or more of the above-required supplies, there shall be a Siamese steamer connection placed on the outside of the building at each street front, with suitable iron plate with raised letters securely attached to the wall near steamer connection, reading "Stage Sprinklers."

The location and spacing of sprinkler heads and the schedule of pipe sizes shall conform to the standard recommended by the National Board of Fire Underwriters, which is hereby made a part of the requirements of this ordinance.

(x) There shall be kept in readiness for immediate use one forty-gallon cask filled with water and six fire pails on each side of the stage, under the stage, on each fly-gallery, and a supply of fire pails in property and other storerooms and in each workshop; said casks and brackets shall be painted red and lettered "For Fire Purposes Only."

There shall also be provided six three gallon approved chemical fire extinguishers, at least four axes, two twenty foot hooks, two fifteen foot hooks and two ten foot hooks, and such other appliances as may be required by the Chief of the Fire Department, and to be placed under his direction. The requirements of this paragraph shall apply to existing theaters as well as theaters hereafter to be constructed.

(y) Every portion of the buildings devoted to the uses or accommodation of the public, also all outlets leading to the streets, and including the open courts and corridors, shall be well and properly lighted during every performance and the same shall remain lighted until the entire audience has left the premises.

There shall be one light within a red globe or lantern, placed over each exit opening, on the auditorium side of the wall.

Gas mains and electric light wires supplying the building shall have three independent connections as follows: One for the stage, one for the auditorium, excepting the exit lights therein, and the third for the halls, corridors, lobbies, exit lights, including the exit lights in the auditorium, and such other portions of the building used by the audience outside of the auditorium proper.

All gas and electric lights in the halls, corridors, lobbies and other portions of the building used by the audience, with the exception of the auditorium proper, but including the exit lights therein, shall be controlled by two separate switches or valves, one to be located in the lobby and the other to be so located as to be operated from the outside of the building.

Provision shall be made for shutting off all gas at a point outside of the building.

When interior gaslights are not lighted by electricity other suitable appliances, to be approved by the City Engineer, shall be provided.

All suspended or bracket lights surrounded by glass, in the auditorium, or in any part of the building devoted to the public, shall be provided with proper wire netting underneath.

No gas or electric light shall be recessed in the walls, woodwork, ceilings, or in any part of the building unless protected by fireproof materials.

All lights in passages and corridors in said buildings and wherever else deemed necessary by the City Engineer shall be guarded with proper wire network.

The footlights when not electric, in addition to the wire network, shall be guarded with a strong wire guard and chain drawn taut placed not less than two feet distant from said footlights, and the trough containing said footlights shall be formed of and surrounded by fireproof materials.

All border lights shall be constructed according to the best-known methods, and subject to the approval of the City Engineer, and shall be suspended for not less than ten feet therefrom by wire rope or iron chain.

All ducts or shafts used for conducting heated air from the main chandelier, or from any other light or lights, shall be constructed of metal and

made double, with an air space between, or some other approved fireproof material may be used.

All stage lights shall have strong metal wire guards or screens, not less than eight inches in diameter, so constructed that any material in contact therewith shall be out of reach of the flames of said stage lights, and such guards or fixtures shall in all cases be soldered to the fixture.

The bridge calcium lights at sides of proscenium shall be inclosed in front and on the side by galvanized iron, so that no drop can come in contact with the lights. Electric calcium so-called are included in the above requirement.

The requirements of this paragraph shall apply to existing theaters, as well as to theaters hereafter to be built.

(z) The stand pipes, gas-pipes, electric wires, hose, footlights and all apparatus for the extinguishing of fire or guarding against the same, as in this section specified, shall be installed to the satisfaction of and be in charge of and under the control of the Chief of the Fire Department, and the said official is hereby directed to see that the arrangements in respect thereto are carried out, enforced and maintained.

(aa) A diagram or plan of each tier, gallery or floor, showing distinctly the exits therefrom, each occupying a space not less than fifteen square inches, shall be printed in block lines in a legible manner on the programme of the performance.

Every exit shall have over the same on the inside, the word "EXIT" painted in legible letters not less than eight inches high. The requirements of this paragraph shall apply to existing theaters as well as to those hereafter to be constructed.

(bb) It shall be the duty of the owner, agent or lessee of every theater now in use or hereafter to be used, to employ one or more competent experienced firemen, approved by the Chief of the Fire Department. Said firemen shall report to, and be subject to the orders of the Chief of the Fire Department; shall be on duty in uniform at such theater during the whole time it is open to the public; shall before every performance examine all fire apparatus required by this ordinance and see that the same is in proper place and in good working order; shall keep diligent watch during every performance for fires and take prompt measures for extinguishing any fires that may occur; and shall not be required or allowed, while on duty as such firemen, to act as scene shifter, or stage hand, or to do any other work or perform any other duties than are herein specified.

(cc) **Open Air Theaters:** Open air theaters, having no roof, may be used and maintained in the city during the summer months only, under such conditions and requirements as may be imposed by the Board of Trustees. Applications for permission to erect such buildings shall be made to the Board of Trustees.

Buildings in Fire Limits.

Sec. 28. All buildings or other structures hereafter to be erected within the established Fire Limits of the City of Fresno, shall be of masonry construction as defined in Section 17, and must comply with the provisions of Section 22 hereof; except as herein otherwise provided, and except that outbuildings or sheds having less than three hundred square feet area and not over ten feet high, with at least one side open, may be built with eight inch masonry walls, or of corrugated iron on metal frames; no such shed shall be less than five feet from the nearest building.

Provided further that temporary enclosed wooden sheds, not to exceed twenty feet in height, may be erected within the Fire Limits to facilitate

the erection of buildings, but when said buildings are completed the sheds shall be removed.

The outside stairways of all buildings within the Fire Limits shall be constructed of iron or other non-inflammable material.

Masonry Buildings Outside Fire Limits.

Sec. 29. All masonry buildings hereafter erected outside of the established Fire Limits of the City of Fresno, shall conform to the general requirements of Section 22 hereof, except that masonry buildings to be used exclusively as dwelling houses may, at the discretion of the City Engineer, be exempted from the requirements of said Section 22.

Storm Water to be Carried Under Sidewalk.

Sec. 30. It shall hereafter be unlawful to discharge any storm or rain water, from the roof of any building in the City of Fresno, upon the surface of any sidewalk; when it is desired to convey any such storm or rain water to the gutter of any street, the same must be done by a pipe or other suitable method, under the surface of the sidewalk.

Discretionary Power.

Sec. 31. The City Engineer shall have power to vary or modify any of the provisions of this ordinance or any rule or regulation therein contained, relating to the construction, alteration or removal of any building or structure erected or to be erected within the City of Fresno, upon an application to him therefor in writing by the owner or lessee of such building or structure, or his duly authorized agent, where there are practical difficulties in the way of carrying out the strict letter of this ordinance, so that the spirit of this ordinance shall be observed and public safety secured and substantial justice done; but no such variation or modification shall be granted or allowed unless the particulars of each application and of the decision of the said City Engineer thereon shall be entered upon the records of his department, and if the application is granted a certificate therefor shall be issued by the said City Engineer.

Any and all matters pertaining to the construction of buildings not covered by any of the sections of this ordinance, shall be left to the discretion of the City Engineer, whose decision shall be final.

Records.

Sec. 32. The City Engineer shall keep a record of all applications presented to him concerning, affecting or relating to the construction, alteration or removal of buildings or other structures. Such record shall include the date of the filing of each such application; the name and address of the owner of the land on which the building or structure mentioned in such application is situated; the names and addresses of the architect and builder employed thereon; a designation of the premises by street number, or otherwise, sufficient to identify the same; a statement of the nature and proposed use of such structure; and a brief statement of the nature of the application together with a memorandum of the decision of said City Engineer upon such application, and the date of the rendition of such decision. The record shall be kept in two classes; one for new buildings or structures, and one for alterations to existing buildings or structures. Each application for a new or altered building or structure shall be respectively and consecutively numbered in the date and order of filing, and the record numbers and the application numbers shall correspond.

The books containing such records, and all plans, statements and other papers relating to any such application are hereby declared to be

public records, and shall be open to inspection at all reasonable times, but such inspection shall not include the right to copy any plan on file with the City Engineer, and the copying of any filed drawing, tracing or print is hereby forbidden.

Right of Entrance.

Sec. 33. The City Engineer, or his deputies, or the Chief of the Fire Department or his assistant, so far as may be necessary for the performance of their duties, shall have the right to enter any new or unoccupied building, or any building under construction, repair, alteration, or removal, or any building alleged to be unsafe, or a menace to life and limb, upon showing their badge of office.

Right to Stop Construction.

Sec. 34. The City Engineer shall have the power to stop the construction of any building or the making of any alteration or repairs to any building when the same is done in a reckless or careless manner, or in violation of any of the provisions of this ordinance, and to order in writing or verbally any and all persons in any way or manner whatever engaged in so constructing, altering, or repairing any such building, to stop and desist therefrom, and the person or persons so ordered shall immediately comply therewith.

Repealing Section.

Sec. 35. Ordinance No. 423, Ordinance No. 456, Section 6 of Ordinance No. 325, and Sections 6, 7, 8, 9 and Sections numbered from 22 to 43, both inclusive, and Sections 45, 46, 47 and 48 of Ordinance No. 499, of the City of Fresno, and all other Ordinances and parts of Ordinances in conflict with the provisions of this Ordinance, are hereby repealed.

Date When Ordinance to Take Effect.

Sec. 36. This Ordinance, to be known as the "Building Ordinance," shall take effect immediately after its approval by the Mayor.

ORDINANCE NO. 612.

In effect April 19, 1910.

An Ordinance for police regulation, relating to billiard rooms, public pool rooms, public shooting galleries, public phonograph parlors and public bowling alleys, and forbidding the keeping open or the operating of such places during certain hours.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. It shall be and is hereby made unlawful for the owner, manager, proprietor, or other person having charge of any public billiard room, public pool room, public shooting gallery, public phonograph parlor, public bowling-alley, or other place, open to the public, where phonographs or talking machines are operated for hire, or billiards, pool or bowling are played, or target shooting is carried on, to keep the same open or allow or permit the same to be kept open or to allow any of said games or amusements to be played or carried on in the City of Fresno between the hours of twelve o'clock midnight and six o'clock A. M. of the succeeding day, or to allow any person, except such owner, manager, proprietor, or person in charge thereof, in or about the same to be or remain therein between the hours aforesaid.

Sec. 2. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed Three Hundred Dollars (\$300.00) or by imprisonment in the County Jail of the County of Fresno for a term not to exceed ninety (90) days, or by both such fine and imprisonment.

Sec. 3. All ordinances, and parts of ordinances, in conflict with the provisions of this ordinance are hereby repealed.

Sec. 4. This ordinance shall take effect and be in force immediately on and after its passage.

ORDINANCE NO. 613.

In effect April 19, 1910.

An Ordinance for police regulation, and prohibiting public dance halls in the City of Fresno.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. It shall be and is hereby made unlawful for any person or persons, firm or corporation, to establish, open, keep, conduct or carry on a public dance hall, or a public ball room in the City of Fresno; and any person or persons, firm or corporation, opening, keeping, conducting or carrying on any such public dance hall or public ball room in the City of Fresno shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed Three Hundred Dollars, or by imprisonment in the County Jail of the County of Fresno for a term not to exceed ninety (90) days, or by both such fine and imprisonment.

Sec. 2. Nothing contained in this ordinance shall be construed or understood to apply to any dance or ball given in any hotel for its guests by the owner, manager or lessee of any such hotel, universally recognized as a hotel, and using a general register for guests; or to any charitable exhibition or entertainment given by an amateur dramatic association or society; or to any dance or ball or entertainment given by any bona fide beneficial or bona fide benevolent association; or to any dance or ball given by any social organization formed for the purpose of holding, from time to time, private dances or entertainments; or to any dancing school maintained solely for the teaching of the art of dancing; provided, however, that if any dance or ball or entertainment is given for the purpose of evading the provisions of this ordinance, then section 1 of this ordinance shall be construed to apply thereto.

Sec. 3. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Sec. 4. This ordinance shall take effect and be in force immediately on and after its passage.

ORDINANCE NO. 616.

In effect June 7, 1910.

An Ordinance prescribing and adopting general rules and standard specifications for the construction of vitrified ironstone and concrete pipe sewers in the city of Fresno, and repealing sections numbered from 9 to 26, both inclusive, of Ordinance No. 445 of said city.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. Sewers to be hereafter constructed in the City of Fresno may be either of vitrified ironstone pipe or of concrete pipe as shall be specified by the Board of Trustees in its Resolution of Intention to order any sewer work to be done, or by other resolution or order of said Board, and all sewers, unless otherwise ordered, shall be constructed in accordance with the provisions of these specifications as the same refer or apply to the particular kind of sewer pipe. Unless otherwise mentioned, each section of this ordinance applies to both kinds of sewer pipe and to all sewers, but where only one kind of pipe is mentioned in the section, same applies only to sewers to be laid or constructed with that kind of sewer pipe so mentioned therein.

Character and Description of Vitrified Ironstone Pipe.

Sec. 2. The vitrified ironstone pipe shall be of the best quality of vitrified salt-glazed ironstone, thoroughly burned and free from warps, cracks or other imperfections, well and smoothly glazed, except upon the interior surface of the bell, and the exterior surface of spigot ends for a length of three (3) inches.

The ends of the pipe shall be of what is known as the "bell" and "spigot" forms. The lengths of pipe joints shall be not less than two feet, nor greater than three feet.

The sizes of pipe shall be designated by their inside diameters, and such diameters shall not vary more than one and one-half per cent in any direction.

Character and Description of Concrete Pipe.

Sec. 3. The cement used in the manufacture of concrete pipe shall be a standard brand of Portland Cement answering all the requirements of the specifications of the American Society of Civil Engineers.

The proportion of mixture entering into the pipe shall be equal to one part of cement to four parts of clean, sharp, hard sand and either gravel or crushed rock, maximum size equal to one-half of the thickness of wall. One bag of cement, weighing not less than 95 pounds, will be considered as equal, in volume, to one cubic foot.

Pipe, when finished, shall be uniform in alignment, and circular in section, with allowable variations of not more than one and one-half per cent. in the given diameters. The pipe must not be delivered on the work within twenty-one days after manufacture, and when so delivered, must be free from warps, cracks or other imperfections, which, in the judgment of the Inspector, would be detrimental to the completed sewer.

The ends of all pipe shall be of the self centering, bevelled type, made so that they will fit accurately into each other and allow for the proper sealing of the joint by bands around the joints.

Length of joints shall be not less than two feet, nor more than three feet.

Thickness of Walls of Vitrified Ironstone Pipe.

Sec. 4. All vitrified ironstone pipe shall have its walls made equal to, or greater, than as indicated by the following table:

Inside Diameter.	Thickness of Wall.
4	$\frac{1}{2}$ inch
6	$\frac{5}{8}$ inch
8	$\frac{3}{4}$ inch
10	$\frac{7}{8}$ inch
12	1 inch
14	1 inch
16	$1\frac{1}{8}$ inch
18	$1\frac{1}{4}$ inch
20	$1\frac{3}{8}$ inch
22	$1\frac{1}{2}$ inch
24	$1\frac{5}{8}$ inch

Thickness of Walls of Concrete Pipe.

Sec. 5. All concrete pipe shall have its walls made equal to, or greater, than as indicated in the following table:

Inside Diameter.	Thickness of Wall.
4 inches	1 inch
6 inches	1 inch
8 inches	1 inch
10 inches	$1\frac{1}{4}$ inch
12 inches	$1\frac{3}{8}$ inch
14 inches	$1\frac{1}{2}$ inch
16 inches	$1\frac{1}{2}$ inch
18 inches	$1\frac{5}{8}$ inch
20 inches	$1\frac{3}{4}$ inch
22 inches	$1\frac{7}{8}$ inch
24 inches	2 inch

Tests for Vitrified Ironstone Pipe.

Sec. 6. All vitrified ironstone pipe shall be able to safely withstand a hydrostatic pressure on the inside of ten pounds per square inch, without failure.

Tests for Concrete Pipe.

Sec. 7. In the manufacture of concrete pipe, the concrete shall be so thoroughly tamped that, at the end of twenty-one days after its manufacture, a two foot section of the pipe, filled with water under a pressure of two pounds per square inch, shall not weep or "sweat" more than one pint in one hour, evaporation excepted.

One two-foot length of pipe of any diameter, resting on a firm flat floor, shall safely sustain a superimposed load, uniformly distributed, of at least one thousand pounds, without fracture. The pipe shall also withstand a hydrostatic pressure on the inside, of ten pounds per square inch, without failure.

When required, the contractor shall deliver not to exceed one joint of pipe in every two hundred feet of sewer, selected by the City Engineer and delivered to him at his office, for the purpose of making tests.

All pipe which, in the judgment of the Inspector or the City Engineer, is not equal to the requirements of these specifications, shall be rejected.

Special Forms for Both Concrete and Vitrified Ironstone Pipe.

Sec. 8. Special forms of pipe, such as "Y" branches, "T" branches and curves, shall be furnished, when required, of the same material and workmanship as the straight pipe.

Trenching.

Sec. 9. The ground shall be excavated in open trenches, to the required depth and width, and shall be fully completed at least thirty (30) feet in advance of the laying of the pipe, unless otherwise permitted by the Inspector. The trenches shall be eight (8) inches wider on each side than the exterior diameter of the pipe. The bottom of the trench shall be excavated to the exact form of the lower half of the pipe and its socket or ball, so as to give the pipe a solid bearing throughout its entire length. The contractor shall keep the excavation clear of water and sewage during the progress of the work. Wherever the natural bottom of the trench is not suitable on which to lay the pipe, the excavation shall be increased to such depth as may be necessary and brought up to the required level and form with clean sand or other suitable material thoroughly rammed and made solid.

Any shoring or bracing required in the trenches, for the laying of pipe, or for the safety of workmen, shall be furnished and set in place by the contractor.

Laying Vitrified Ironstone Pipe.

Sec. 10. When vitrified ironstone pipe is being laid, it must be firmly imbedded in the excavation, in the bottom of the trench and on the true grades, as per stakes set by the City Engineer. Spigot end of pipe to be laid toward the outlet. A gasket of oakum must be placed in successive layers around the spigot end of the pipe, and tightly rammed into the bell to the bottom thereof, and the gasket must have a depth of half an inch after ramming, carefully dividing the play in the bell equally around the circumference; the balance of the play in the bell, and the front face of the same, must be filled with cement mortar, composed of one part of the best Portland Cement and two parts of clean, sharp sand. The mortar must be pressed into the bell carefully in successive layers with the fingers, and a rounding mortar joint of the same kind of mortar built up all around the pipe, reaching from the outer edge of the bell to a distance of not less than three (3) inches therefrom, on the spigot end.

The interior of the sewer must be carefully freed from all superfluous cement, dirt or other material of any description, as the work progresses. For this purpose, a disc, mould or swab, suitable for its purposes, and attached to a rod sufficiently long to pass two joints from the end of the pipe last laid, shall be provided. All joints shall be left perfectly smooth on the inside.

Laying Concrete Pipe.

Sec. 11. When concrete pipe is being laid, and immediately prior to joints being banded, the ends of each pipe shall be thoroughly moistened and washed clean, with a suitable brush.

Pipe shall be firmly imbedded in the excavation in the bottom of the trench and on the true grades, as per stakes set by the City Engineer, the spigot and towards the outlet. In making the joints, a sufficient amount of cement mortar must be placed on the ends so that the joint will be water tight; a band of cement mortar, averaging three-eighths inch thick and four inches wide, with feather edges, shall be neatly made clear around each joint. In making the bands, it will be necessary to make a proper trowel excavation in the grade to receive the band and care taken not to raise the pipe off of its firm bed.

As the work progresses, the inside of all joints must be properly smoothed or "swabbed," so that no surplus material remains inside of any pipe.

The mortar used in making joints and bands shall be made of one part of Portland Cement to two parts of clean, sharp and hard sand; no mortar shall be used that has been standing longer than two hours.

"Y" Branches in Vitrified Ironstone Pipe.

Sec. 12. Four-inch "Y" branches in vitrified ironstone pipe sewers for house connections must be laid at such intervals as the City Engineer may direct. All "Y" branches must have a proper socket on the outer end, and when not immediately used must be closed by placing an earthen cap in the bell end of such "Y" branch and carefully cementing the same so as to prevent the introduction of sand or any other substance which would be detrimental to the sewer.

"Y" Branches in Concrete Pipe.

Sec. 13. Four-inch "Y" branches in concrete pipe sewers for house connections must be laid at such intervals as the City Engineer may direct. When not immediately used, they must be closed by placing a suitable cap in the hub end of such "Y" branch and carefully cementing the same so as to prevent the introduction of sand or any other substance which would be detrimental to the sewer.

Manholes.

Sec. 14. Manholes are to be constructed of concrete, made in the proportion of one part Portland Cement to two parts of clean, sharp sand to five parts of gravel or crushed rock; the maximum size of gravel or rock to be such as will pass through a three-inch ring. The cement must be a standard brand, answering all the requirements of the specifications of the American Society of Civil Engineers.

The bottom and walls of the manholes must be not less than eight (8) inches thick. The manholes must be circular; the main body to be four feet in clear inside diameter, with the walls arching at the top to form a support for the manhole rim and cover. The manhole rim is to be firmly imbedded in concrete and be surrounded by at least two feet of concrete; all of said concrete to be made in like manner as the concrete for the manholes.

All concrete exposed to view and the inside of the manholes shall be plastered with at least a one-half inch thickness of cement mortar made in the proportion of one part cement to two parts clean sharp sand.

The bottom of manholes shall be laid on a level with the outlet pipes. The manhole rims and covers shall be of standard patterns satisfactory to the City Engineer, and shall weigh not less than 325 pounds, each, complete. Said manhole covers to be brought to the official grade of street or alley, unless otherwise directed by the City Engineer.

Iron bar steps shall be placed where required by the Inspector, 18 inches apart and 14 inches wide; said steps to be made of galvanized iron bars, $\frac{5}{8}$ inch in diameter. They shall be bent in such shape that the ends will be squarely imbedded in the concrete walls to the extent of four inches, and leaving a clearance of four inches for the feet.

All the above work and the work of backfilling the same to be done to the satisfaction of the Inspector.

Inspection Holes.

Sec. 15. Inspection holes shall be of sewer pipe corresponding to that laid, and fitting into "T" branches of the sewer pipe and properly cemented, and shall extend to within twelve (12) inches of the grade line of the street or alley. The top covering shall be a cast iron collar, with a lower flange extending three (3) inches outside of the pipe onto a bed of concrete; the collar to be twelve (12) inches wide and of the same diameter as the pipe and to have a rim on top with a cast iron cap. The concrete around each inspection hole to extend not less than two (2) feet outside of the iron collar and cap and finished with a covering of cement mortar at least one-half ($\frac{1}{2}$) of an inch in thickness.

Backfilling.

Sec. 16. After the pipes have been properly laid and jointed, the space between them and the sides of the trench shall be carefully filled with clean sand or other suitable material up to the middle of the pipe and well rammed under and around the pipe with proper tools made for the purpose, care being taken not to disturb the pipe. When at least thirty (30) feet of the sewer has been laid and completed as above, the trench shall then be carefully filled in layers of not more than nine (9) inches in thickness, and each layer shall be thoroughly rammed, or puddled. The filling for at least eighteen (18) inches above the top of the pipes shall be entirely free from stone or other hard substance. Walking on the pipes must not be permitted until the first layer of nine (9) inches of earth has been placed over them. When completed the pipe shall be covered with not less than three (3) feet of earth at any point.

Railroad Tracks, Water and Gas Pipes, Etc.

Sec. 17. The contractor will be required to sustain by timbers or otherwise, all water and gas pipes, lamp posts, service pipes, or other fixtures that may be affected by the work, and in case any such gas or water pipes or other fixtures are damaged by the construction of the sewer work, they shall be repaired by the authorities having control of the same, and the expense of such repairs will be paid by the contractor.

The contractor will be required in the prosecution of his work to avoid interfering unnecessarily with the traffic on any of the railroad or street car tracks, and in case of any damage to any such tracks, or the traffic thereon, the damage shall be repaired by the parties controlling the same and paid for by the contractor.

Streets and Gutters.

Sec. 18. The contractor shall make provision for the free passage of vehicles and foot passengers at all street crossings, either by bridging or otherwise, and shall not obstruct the gutters of the street, nor prevent in any manner the free flow of the water in the same, and care shall be taken to inconvenience as little as possible, the citizens residing along the line of work, and shall immediately remove all offensive matter arising from the excavations.

Trenches to be Fenced and Lighted.

Sec. 19. The contractor shall keep erect a fence or railing around all open trenches, if required, and place sufficient red lights on or near the work, and keep them burning from twilight until sunrise, and keep a watchman as an additional security against accidents, whenever the same may be needed or required by the City Engineer.

The contractor will be held responsible for any damages that the City or other parties may sustain, in consequence of neglecting the necessary precaution in prosecuting the work.

Length of Open Trench.

Sec. 20. No more than three hundred feet of trench shall be left open at any time in advance of the completed portion of the sewer, unless by the written permission of the Superintendent of Streets.

Regrading or Repaving.

Sec. 21. The contractor will be required to regrade or repave, with the same kind of materials as were in place when the work began, all the streets or alleys broken up in the construction of the sewers; and, also to reconstruct in good order all curbs, gutters and sidewalks, or other work which may have been disturbed during the progress of the work. The price bid for each class of sewer must include the cost of repaving.

No pavement over trenches shall be laid on a foundation of less than ten (10) inches of gravel. All extra and additional material for repairing the trench or remodeling the intersections must be furnished by the Contractor without compensation other than as included in the total price bid, and all such repaving and reconstruction must be done within twenty days after the trenches have been refilled, or as soon thereafter as the Superintendent of Streets may direct, and the same shall be kept in repair during the progress of the work.

All work to be done under the direction and to the satisfaction and approval of the Superintendent of Streets, and in accordance with the ordinances of the City of Fresno.

Sec. 22. Whenever any sewer is to be constructed, or sewer work to be done in the said City of Fresno, and no special specifications therefor have been adopted, said work or improvement shall be done in accordance with the specifications in this ordinance set forth, but nothing herein shall be construed to prevent the adoption of special specifications for any particular work or improvement, it being the intention of this ordinance to adopt standard specifications for work where no special specifications are adopted for the same.

Sec. 23. Sections numbered from 9 to 26, both inclusive, of Ordinance No. 445 of the City of Fresno (being an ordinance entitled "Ordinance No. 445, prescribing general rules and standard specifications for street, avenue, alley, place and sidewalk work and work on sewers in the City of Fresno, where the expense thereof is a charge upon or to be assessed against private property" and said sections being the same as sections numbered from 333 to 350, both inclusive, in the printed volume of ordinances of the City of Fresno) are hereby repealed; provided, however, that as to all sewers and sewer work in the City of Fresno, or any order or resolution has been passed or adopted by said board authorizing or directing or allowing the construction of any sewer, such sewer and all the work and matter pertaining thereto may be carried on and completed in every respect in accordance with the specifications originally designated for and applicable thereto; and the repeal of the above numbered sections of Ordinance No. 445 shall not be considered as applying to such sewer or sewer work, and said sections as to such work shall not be deemed to have been so repealed, but for all the purposes of said work shall be in full force and effect therefor.

Sec. 24. This ordinance shall take effect and be in force immediately on and after its passage.

ORDINANCE NO. 617.

In effect June 21, 1910.

An Ordinance declaring that certain land is now a public street and naming and designating the same as Coast Avenue.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. That, whereas the City of Fresno has acquired and now has and owns the right of way for a public street and avenue, and all the incidents thereto, on, over and through that real property situate in the County of Fresno, State of California, described as follows, to wit: commencing at a point 55.26 chains west of the northeast corner of section 4, in township 14 south of range 20 east Mount Diablo Base and Meridian; thence south to the north line of Voorman Avenue in the City of Fresno; thence at a right angle west 60 feet; thence at a right angle north to the north line of said section 4; thence at a right angle east 60 feet to the point of commencement; and

Whereas, the said southerly portion of the above described tract of land is known as Coast Avenue:

Therefore all of the above described tract of land is hereby declared to be and the same now is a public street of said City, and that the whole thereof, being a strip of land 60 feet in width extending from the north line of Voorman Avenue to the south line of Belmont Avenue in said City of Fresno, shall thenceforth be known as, and the same is hereby designated and named, Coast Avenue.

Sec. 2. That this Ordinance shall take effect and be in force immediately on and after its passage.

ORDINANCE NO. 619.

In effect Sept. 20, 1910.

An Ordinance changing and re-establishing the width of the sidewalks on certain portion of Forthcamp Avenue in the City of Fresno.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. That the width of the sidewalk on the easterly side of that portion of Forthcamp Avenue which extends from the northerly curb line of Belmont Avenue to the southerly curb line of Olive Avenue in the City of Fresno shall be reduced to and is hereby established at a width of eight feet, and that the width of the sidewalk on the westerly side of that portion of Forthcamp Avenue which extends from the northerly curb line of Belmont Avenue to the southerly curb line of Olive Avenue in said City shall be reduced to and is hereby established at a width of eight feet.

Sec. 2. That the four feet so taken from the width of the sidewalk along the easterly side of said Forthcamp Avenue shall be taken therefrom in such a way as to establish the curb line on said side of said avenue four feet further in an easterly direction (being four feet nearer to the property line) than the same now is, and the four feet so taken from the width of the sidewalk along the westerly side of said Forthcamp Avenue shall be taken therefrom in such a way as to establish the curb line of four feet further in a westerly direction (being four feet nearer to the property line) than the same now is; and the width of the roadway (from curb line to curb line) of said portion of Forthcamp Avenue shall be and is hereby increased in width to the extent of the eight feet in the aggregate so taken from the width of said sidewalks, making said roadway from curb line to curb line a width of forty-four feet.

Sec. 3. The pitch of the said sidewalks by this ordinance so reduced and established shall be and is hereby fixed at three inches rising from the curb line to the inside edge of said sidewalk.

Sec. 4. This ordinance shall take effect and be in force immediately on and after its passage.

ORDINANCE NO. 620.

In effect Sept. 20, 1910.

An Ordinance naming certain streets in the City of Fresno and changing the names of certain streets already named.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. That the maps in this ordinance hereinafter mentioned or referred to are the respective maps and plats having the names or titles so designated which are now on file and of record in the office of the County Recorder of the County of Fresno, State of California.

Sec. 2. That in the event any street or avenue whose name by this ordinance is changed, is in whole or in part shown or delineated (whether given the same name or a different name or names) on more than one map on file and of record in the office of the County Recorder of the said County of Fresno, then it shall be understood, and it is hereby declared, that the name of such street shall be and is changed from the name or names by which it has heretofore been known, to the name hereinafter so given to and designated for such street, regardless of the map or maps on which the same appears or is delineated, all with the same force and effect as though such street had originally been designated on each and all of said maps so showing it in whole or in part by the name now given to it in this ordinance.

Sec. 3. That the name of that street which extends from Kearney Avenue to the south city limits, and is designated on the map of Resurvey of Paige Tract as 1st Street, be and the same is hereby changed to Mayor Avenue.

Sec. 4. That the name of that street which extends from Merced Street to the south city limits and is designated on the Map of Resurvey of Paige Tract as 2nd Street, be and the same is hereby changed to Collins Avenue.

Sec. 5. That the name of that street which extends from Merced Street to the south city limits and is designated on the Map of Resurvey of Paige Tract as 3rd Street, be and the same is hereby changed to Pottle Avenue.

Sec. 6. That the name of that street which extends from Merced Street to the south city limits and is designated on the Map of Resurvey of Paige Tract as 4th Street, be and the same is hereby changed to Stephens Avenue.

Sec. 7. That the name of that street which extends from Merced Street to the south city limits and is designated on the Map of Resurvey of Paige Tract as 5th Street, be and the same is hereby changed to Klette Avenue.

Sec. 8. That the name of that street which extends from Merced Street to the south city limits and is designated on the Map of the Resurvey of Paige Tract as 6th Street, be and the same is hereby changed to Jones Avenue.

Sec. 9. That the name of that street which extends from Merced Street to the south city limits and is designated on the Map of Resurvey of Paige Tract as 7th Street, be and the same is hereby changed to Modoc Street.

Sec. 10. That the name of that street which extends from Merced Street to the south city limits and is designated on the map of Resurvey of Paige Tract as 8th Street, be and the same is hereby changed to Martin Avenue.

Sec. 11. That the name of that street which extends from Merced Street to the south city limits and is designated on the Map of Resurvey of Paige Tract as 9th Street, be and the same is hereby changed to Cobb Avenue.

Sec. 12. That the name of that street which extends from A Street to Kearney Avenue, and is designated on the Map of Resurvey of Paige Tract as Stanislaus Street, be and the same is hereby changed to Pickford Avenue.

Sec. 13. That the name of that street which extends from A Street to Merced Street and is designated on the Map of Resurvey of Paige Tract as Tuolumne Street, be and the same is hereby changed to Snow Avenue.

Sec. 14. That the name of that street which extends from Trinity Street to Tehama Street and is designated on the Map of Grand Avenue Park as Palm Avenue, be and the same is hereby changed to Amador Street.

Sec. 15. That the name of that street which extends from Trinity Street to Tehama Street and is designated on the Map of Grand Avenue Park as Orange Avenue, be and the same is hereby changed to San Joaquin Street.

Sec. 16. That the name of that street which extends from A Street to Tehama Street and is designated on the respective Maps of Resurvey of Paige Tract and of Grand Avenue Park as Magnolia Avenue, be and the same is hereby changed to Stanislaus Street.

Sec. 17. That the name of that street which extends from A Street to Tehama Street, of which that portion extending from A Street to Trinity Street is designated on the Map of Resurvey of Paige Tract as Park Avenue, and of which that portion extending from Trinity Street to Tehama Street is designated on the Map of Grand Avenue Park as Park Avenue, and which by resolution of the Board of Trustees of the City of Fresno passed and adopted on the 6th day of February, 1905, was changed to Olive Avenue, be and the same is hereby changed to Tuolumne Street.

Sec. 18. That the name of that street which extends from Belmont Avenue to the north city limits and is designated on the respective Maps of Buena Vista Addition to Fresno, Cal., and Bloomington Park Tract as Kroeger Avenue, be and the same is hereby changed to Echo Avenue.

Sec. 19. That the name of that street, a portion of which is in Park Addition to the Town of Fresno, and a portion is between Elwood's North Park Addition to Fresno City and Sierra North Park Addition to Fresno City, and which is designated on the respective Maps of Park Addition to the Town of Fresno and Elwood's North Park Addition to Fresno City and of Sierra North Park Addition to Fresno City, as Froelich Avenue, be and the same is hereby changed to Jensen Avenue.

Sec. 20. That the name of that street which extends from Belmont Avenue to the north city limits and is designated on the Map of Bloomington Park Tract as Bloomington Avenue, be and the same is hereby changed to San Pablo Avenue.

Sec. 21. That the name of that street which extends from Belmont Avenue to the north city limits and is designated on the Map of Belmont Addition to the City of Fresno as Stockton Street, be and the same is hereby changed to Abby Street.

Sec. 22. That the name of that street which extends from Belmont Avenue to the north city limits and is designated on the Map of Belmont Addition to the City of Fresno as Weymouth Street, be and the same is hereby changed to Diana Street.

Sec. 23. That the name of that street which extends from Belmont Avenue to the north city limits and is designated on the Map of Belmont Addition to the City of Fresno as Caso Blanco Street, be and the same is hereby changed to Thesta Street.

Sec. 24. That the name of that street which extends from Belmont Avenue to the north city limits and is designated on the respective maps of Belmont Addition to the City of Fresno, and of Fresno Home Addition, as Campbell Street, be and the same is hereby changed to Angus Street.

Sec. 25. That the name of that street which extends from Belmont Avenue to the north city limits and is designated on the Map of Fresno Home Addition as Muller Avenue, and on the Map of Union Addition to Fresno City as Muller Street, be and the same is hereby changed to Orchard Street.

Sec. 26. That the name of that street which extends along the easterly side of the corporate limits of the City of Fresno from Ventura Avenue to Garfield Street and is designated on the respective Maps of Windsor Terrace, East Fresno, Arlington Heights Tract, Union Addition to Fresno City and of Bartlett Heights adjoining the Town of Fresno, as First Street, and which by Ordinance No. 542 of the City of Fresno was changed to East Street, be and the same is hereby changed to First Street, and that said street throughout its entire length from Ventura Avenue to Garfield Street shall henceforth be known as First Street.

Sec. 27. That the name of that street which extends from Fresno Avenue to Angus Street and is designated on the Map of River Dale Addition as Monroe Avenue, be and the same is hereby changed to Grant Avenue.

Sec. 28. That the name of that street in Fisher's Second Addition to the City of Fresno which is designated on the Map of said Fisher's Second Addition to the City of Fresno as Bell Street, be and the same is hereby changed to U Street.

Sec. 29. That the name of that street in Fisher's Second Addition to the City of Fresno which is designated on the Map of said Fisher's Second Addition to the City of Fresno as Fisher Street, be and the same is hereby changed to Dimond Street.

Sec. 30. That the name of that street in Fisher's Addition to the Town of Fresno which is designated on the Map of Fisher's Addition to the Town of Fresno as Hyde Street, be and the same is hereby changed to Howard Street.

Sec. 31. That the name of that street which extends from Van Ness Avenue to Park Avenue and is designated on the respective Maps of Muller and Northcraft Addition to Fresno City and of Re-subdivision of lots 10 and 11 Park Addition to Fresno City, California, as Laura Street, be and the same is hereby changed to Franklin Avenue.

Sec. 32. That that street which extends along the east side of Woodward's Addition to the City of Fresno and is so shown on the Map of said

Woodward's Addition to the City of Fresno, is hereby named and designated Pearl Street, and the same shall henceforth be known as Pearl Street.

Sec. 33. That that street between blocks 2 and 3 of Yosemite Addition to Fresno City and which extends from Poplar Avenue to San Pablo Avenue, and as so shown on the map of said Yosemite Addition to Fresno City, is hereby named and designated Klondike Street, and the same shall henceforth be known as Klondike Street.

Sec. 34. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Sec. 35. This ordinance shall take effect and be in force immediately on and after its passage.

ORDINANCE NO. 621.

In effect Sept. 20, 1910.

An Ordinance districting and subdividing the City of Fresno and the City of Fresno School District into municipal election precincts for holding certain elections, and repealing Ordinances numbered 385, 480 and 578 of the City of Fresno.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. That the City of Fresno be and is hereby districted and subdivided into twenty-five Municipal Election Precincts hereinafter described, for holding all municipal elections in said City, and that that portion of the City of Fresno School District lying outside of the City of Fresno be and is districted and subdivided into three additional precincts for the purpose of voting for School Directors of the City of Fresno School District.

Municipal Election Precinct No. 1.

Sec. 2. Municipal Election Precinct No. 1 shall comprise and include all that portion of the City of Fresno bounded on the north by Silvia Street and the south line of Central Addition to Fresno City; on the southeast by Tuolumne Street and on the southwest by K Street.

Municipal Election Precinct No. 2.

Municipal Election Precinct No. 2 shall comprise and include all that portion of the City of Fresno bounded on the north by Silvia Street and Tulare Avenue, on the east by East Street, on the south and southeast by Kern Avenue and Kern Street, on the southwest by Q Street, and on the northwest by Tuolumne Street.

Municipal Election Precinct No. 3.

Municipal Election Precinct No. 3 shall comprise and include all that portion of the City of Fresno bounded on the north and the northwest by Kern Avenue and Kern Street, on the east by East Street, on the south and southeast by Ventura Avenue and on the southwest by Q Street.

Municipal Election Precinct No. 4.

Municipal Election Precinct No. 4 shall comprise and include all that portion of the City of Fresno bounded as follows: Commencing at the intersection of Ventura Avenue and K Street; thence northeasterly along Ventura Avenue to Angus Street; thence south along the east line of said City to the north line of Woodward's Addition to the City of Fresno; thence east to the northeast corner of said Woodward's Addition; thence

south to the southeast corner of said Woodward's Addition; thence west to the southwest corner of said Woodward's Addition; thence north to the northwest corner of said Woodward's Addition; thence east to the intersection of Hamilton and K Streets; thence northwest to the point of commencement.

Municipal Election Precinct No. 5.

Municipal Election Precinct No. 5 shall comprise and include all that portion of the City of Fresno bounded on the northwest by Kern Street, on the northeast by Q Street, on the southeast by Ventura Avenue and on the southwest by K Street.

Municipal Election Precinct No. 6.

Municipal Election Precinct No. 6 shall comprise and include all that portion of the City of Fresno bounded on the northwest by Fresno Street, on the northeast by Q Street, on the southeast by Kern Street, and on the southwest by K Street.

Municipal Election Precinct No. 7.

Municipal Election Precinct No. 7 shall comprise and include all that portion of the City of Fresno bounded on the northwest by Tuolumne Street, on the northeast by Q Street, on the southeast by Fresno Street and on the southwest by K Street.

Municipal Election Precinct No. 8.

Municipal Election Precinct No. 8 shall comprise and include all that portion of the City of Fresno bounded on the north by the south line of Central Addition to Fresno City, on the northeast by K Street, on the southeast by Calaveras Street, and on the southwest by the main line of the Southern Pacific Railroad.

Municipal Election Precinct No. 9.

Municipal Election Precinct No. 9 shall comprise and include all that portion of the City of Fresno bounded on the northwest by Calaveras Street, on the northeast by K Street, on the southeast by Tuolumne Street, and on the southwest by the main line of the Southern Pacific Railroad.

Municipal Election Precinct No. 10.

Municipal Election Precinct No. 10 shall comprise and include all that portion of the City of Fresno bounded on the northwest by Tuolumne Street, on the northeast by K Street, on the southeast by Fresno Street and on the southwest by the main line of the Southern Pacific Railroad.

Municipal Election Precinct No. 11.

Municipal Election Precinct No. 11 shall comprise and include all that portion of the City of Fresno bounded on the northwest by Fresno Street, on the northeast by K Street, on the southeast by Mariposa Street, and on the southwest by the main line of the Southern Pacific Railroad.

Municipal Election Precinct No. 12.

Municipal Election Precinct No. 12 shall comprise and include all that portion of the City of Fresno bounded on the northwest by Mariposa Street, on the northeast by K Street, on the southeast by Tulare Street and on the southwest by the main line of the Southern Pacific Railroad.

Municipal Election Precinct No. 13.

Municipal Election Precinct No. 13 shall comprise and include all that portion of the City of Fresno bounded on the northwest by Tulare Street,

on the northeast by K Street, on the southeast by Inyo Street and on the southwest by the main line of the Southern Pacific Railroad.

Municipal Election Precinct No. 14.

Municipal Election Precinct No. 14 shall comprise and include all that portion of the City of Fresno bounded on the northwest by Inyo Street, on the northeast by K Street, on the southeast by the north and west lines of Woodward's Addition to the City of Fresno, and on the southwest by the main line of the Southern Pacific Railroad.

Municipal Election Precinct No. 15.

Municipal Election Precinct No. 15 shall comprise and include all that portion of the City of Fresno bounded on the northwest by Tulare Street, on the northeast by the main line of the Southern Pacific Railroad, and on the south by the south City Limits.

Municipal Election Precinct No. 16.

Municipal Election Precinct No. 16 shall comprise and include all that portion of the City of Fresno bounded on the northwest by Merced Street, on the northeast by the main line of the Southern Pacific Railroad, on the southeast by Tulare Street, on the south by the south City Limits, and on the west by the west City Limits.

Municipal Election Precinct No. 17.

Municipal Election Precinct No. 17 shall comprise and include all that portion of the City of Fresno bounded on the north by Silvia Street, on the northeast by the main line of the Southern Pacific Railroad, on the southeast by Merced Street, and on the west by the west City Limits.

Municipal Election Precinct No. 18.

Municipal Election Precinct No. 18 shall comprise and include all that portion of the City of Fresno bounded on the north by Belmont Avenue, on the east by Forthcamp Avenue, on the south by the south line of Central Addition to Fresno City and Silvia Street, and on the west by the west City Limits.

Municipal Election Precinct No. 19.

Municipal Election Precinct No. 19 shall comprise and include all that portion of the City of Fresno bounded on the north by Belmont Avenue, on the east by San Pablo Avenue, on the south by the south line of Central Addition to Fresno City, and on the west by Forthcamp Avenue.

Municipal Election Precinct No. 20.

Municipal Election Precinct No. 20 shall comprise and include all that portion of the City of Fresno bounded on the north by Belmont Avenue, on the east by Blackstone Avenue, on the south by Silvia Street and the south line of Central Addition to Fresno City, and on the west by San Pablo Avenue.

Municipal Election Precinct No. 21.

Municipal Election Precinct No. 21 shall comprise and include all that portion of the City of Fresno bounded on the north by Belmont Avenue, on the east by Diana Street, on the south by Silvia Street, and on the west by Blackstone Avenue.

Municipal Election Precinct No. 22.

Municipal Election Precinct No. 22 shall comprise and include all that portion of the City of Fresno bounded on the north by Belmont Avenue,

on the east by Fresno Avenue, on the south by Silvia Street and on the west by Diana Street.

Municipal Election Precinct No. 23.

Municipal Election Precinct No. 23 shall comprise and include all that portion of the City of Fresno bounded on the north by Belmont Avenue, on the east by First Street, on the south by Silvia Street and Tulare Avenue, and on the west by Fresno Avenue.

Municipal Election Precinct No. 24.

Municipal Election Precinct No. 24 shall comprise and include all that portion of the City of Fresno which is situate in section 34 in township 13 south of range 20 east, Mount Diablo Base and Meridian.

Municipal Election Precinct No. 25.

Municipal Election Precinct No. 25 shall comprise and include all that portion of the City of Fresno which is situate in section 33 in township 13 south of range 20 east, Mount Diablo Base and Meridian.

Sec. 3. The Board of Trustees of the City of Fresno by the resolution or order preliminary to or calling any election, or by the advertisement or publication giving notice of any election, may consolidate the municipal election precincts and may otherwise precinct and subdivide the municipality into special election precincts for any such election; but unless otherwise ordered or noticed for any election, the municipal election precincts for all municipal elections shall be as in this ordinance hereinbefore set forth, and the numbers of municipal election precincts (unless otherwise specified) shall be deemed to refer to, designate and describe the municipal election precincts respectively hereinbefore set forth.

Sec. 4. That that portion of the City of Fresno School District lying outside the corporate limits of the City of Fresno be and is hereby districted and subdivided into three election precincts for the purpose of voting for school directors of the City of Fresno School District, and said precincts are hereby named and designated as follows:

East Fresno School Election Precinct.

East Fresno School Election Precinct shall comprise and include all of sections 1, 2, 11 and 12, all that portion of section 10 lying outside the corporate limits of the City of Fresno, and the north half of section 15, in township 14 south of range 20 east, Mount Diabale Base and Meredian.

Belmont School Election Precinct.

Belmont School Election Precinct shall comprise and include all of sections 21, 22, 27 and 28, the north half, and the north half of the south half of section 34, the west half and the south-east quarter of section 35, in township 13 south of range 20 east, Mount Diablo Base and Meridian.

Hedges School Election Precinct.

Hedges School Election Precinct shall comprise and include all of sections 31 and 32, all that portion of section 33 lying outside the corporate limits of the City of Fresno, the east half and the southwest quarter of section 29, and the south half of section 30, in township 13 south of range 20 east, Mount Diablo Base and Meridian, and the north half; the north-east quarter of the southwest quarter, and the northwest quarter of the southeast quarter of section 5 in township 14 south of range 20 east, Mount Diablo Base and Meridian.

Sec. 5. Those ordinances of the City of Fresno known and designated as Ordinances Nos. 385, 480 and 578, and all other ordinances and parts of ordinances in conflict with the provisions of this ordinance, are hereby repealed.

Sec. 6. This ordinance shall take effect and be in force immediately on and after its passage.

ORDINANCE NO. 622.

In effect Sept. 20th, 1910.

An Ordinance regulating the removal of debris resulting from fire.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. That the owner or person having in his possession, or under his control, upon any premises any hay or forage of any kind, bales of wool, cotton, rags, paper or other substances which have been rendered useless or unmerchantable by reason of any fire on such premises, or any other debris resulting from such fire, must commence to remove the same from such premises within twenty-four hours after notice so to do from the Chief of the Fire Department, and must thereupon proceed with, and diligently carry on, the work of such removal until the same has been completed.

Sec. 2. That any person who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding Three Hundred Dollars, or by imprisonment in the County Jail of the County of Fresno for a period not exceeding ninety days, or by both such fine and imprisonment.

Sec. 3. That this ordinance shall take effect and be in force immediately on and after its passage.

ORDINANCE NO. 625.

In effect Dec. 20, 1910.

An Ordinance for police regulation, and prohibiting the obstruction of passage, travel and traffic in certain streets of the City of Fresno and prohibiting public speeches, lectures and discourses upon the public streets and alleys and other public places of certain portions of said City.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. It shall be and is hereby made unlawful for any person to stand or sit idly in or upon any public street, alley, sidewalk or cross-walk in the City of Fresno, or to stand or sit in or upon any such public street, alley, sidewalk or cross-walk, so as in any manner to hinder or obstruct the free passage therein of persons passing along the same, or so as in any manner to annoy or molest persons passing along the same, or to stand in or at the entrance of any church, hall, theater, or place of public assemblage so as in any manner to obstruct such entrance.

Sec. 2. It shall be and is hereby made unlawful for any person to hold, conduct or address any assemblage, meeting or gathering of persons, or to make or deliver any public speech, lecture or discourse, or to conduct or take part in any public debate or discussion, in or upon any public park, public street or alley within the district bounded as follows: Commencing

at the point of interesection of the northwesterly line of Tuolumne Street with the southwesterly line of D Street in the City of Fresno, running thence in a northeasterly direction to the point of intersection of the north-easterly line of M Street with the northwesterly line of Tuolumne Street; thence in a southeasterly direction to the point of intersection of the south-easterly line of Inyo Street with the northeasterly line of M Street; thence in a southwesterly direction to the point of intersection of the southwesterly line of D Street with the southeasterly line of Inyo Street; thence in a northwesterly direction to the point of commencement.

Sec. 3. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than five dollars nor more than forty dollars, or by imprisonment in the County Jail of the County of Fresno for a term not to exceed forty days.

Sec. 4. All ordinances and party of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Sec. 5. This ordinance shall take effect and be in force immediately on and after its passage.

ORDINANCE NO. 628.

In effect Feb. 8, 1911.

An Ordinance requiring lodging house keepers to keep a register of the persons renting or occupying rooms in such lodging house, and prescribing the duties of such lodging house keepers with reference to such register, and repealing Ordinance No. 572.

The Board of Trustees of the City of Fresno do ordain as follows:

1. Every person, firm, company or corporation, within the limits of the City of Fresno, who keeps, maintains or controls a lodging house, shall provide, keep and maintain a public register, and shall require every person who rents or occupies a room in such lodging house to write in said register his name and place of residence; such registration shall be made upon a page of such register properly dated with reference to the day of the year, month and week, and at the time the person rents or arranges to occupy a room.

2. Such lodging house register so kept shall be open to the public at any and all reasonable hours, and the pages thereof shall, upon demand, be open for inspection or investigation by any member of the Police Force or other peace officer of the City of Fresno, immediately upon demand, having been made by such peace officers.

3. The violation of this ordinance, or any of its clauses, shall be, and is hereby made, a misdemeanor, and the punishment therefor shall be a fine of not less than Ten (10) nor more than Three Hundred (300) Dollars, or imprisonment in the City or County Jail for a period of time not to exceed ninety days, or by both such fine and imprisonment.

4. Ordinance No. 572, and all ordinances and parts of ordinances in conflict with the provisions of this ordinance, are hereby repealed.

5. This ordinance shall take effect and be in force immediately on and after its adoption.

ORDINANCE NO. 629.

In effect Feb. 8th, 1911.

An Ordinance regulating the rate of speed at which any street car, steam engine or railway cars may be propelled, within the limits of the City of Fresno, and repealing Ordinances Nos. 408 and 524.

The Board of Trustees of the City of Fresno do ordain as follows:

First. It shall be unlawful for any person, firm or corporation, to propel or cause to be propelled any street car on any street or other public way in this City at a rate of speed greater than sixteen miles an hour.

Second. It shall be unlawful for any person, firm or corporation to propel or cause to be propelled any street car, upon, across, or around any corner of, any of the following streets or alley crossings within this City, to-wit:—

Kern Street between H and K Streets; Tulare Street between H and K Streets; Mariposa Street between H and K Streets; Fresno Street between H and K Streets; and Merced Street between H and K Streets; also H, I, J, and K Streets between Merced and Kern Streets, or any alley crossing any of said streets within said limits, at a greater rate of speed than eight miles per hour.

Third. It shall be unlawful for any person in charge, having control, or directing the movement of, any steam engine or any railway cars, to cause or permit any such engine, car, or cars, to be propelled along or across any of the street crossings of this City at a greater rate of speed than eight miles an hour.

Fourth. All street cars operated upon any of the streets or public places in the City of Fresno shall stop to take on or let off passengers on the near side of the cross street toward which said car is going; such street car must stop so that the front platform of the same shall be in line with the near sidewalk on the cross street.

Fifth. Any person violating any of the provisions of this ordinance, or doing, or causing to be done any act herein declared to be unlawful, is guilty of a misdemeanor, and upon conviction therefor shall be punished by a fine not exceeding Three Hundred Dollars, or by imprisonment in the City or County Jail not to exceed ninety days, or by both such fine and imprisonment.

Sixth. Ordinances Nos. 408 and 524 and all ordinances and parts of ordinances in conflict with the provisions of this ordinance, are hereby expressly repealed.

Seventh. This ordinance shall take effect and be in force immediately on and after its adoption.

ORDINANCE NO. 630.

In effect Feb. 8th, 1911.

An Ordinance regulating the use of the sewerage system of the City of Fresno by the inhabitants thereof and prescribing penalties for the violation of the same, and repealing ordinances numbered 546 and 562.

The Board of Trustees of the City of Fresno do ordain as follows:

First. It shall be unlawful for any person, firm, company or association, to deposit in any part or portion of the sewerage system of the City of Fresno any crude petroleum, gasoline, kerosene, or other substance, of which any oils or any crude oil is a component part.

Second. No person, firm, company, or corporation, shall be permitted to use, in the City of Fresno, in connection with the sewerage system thereof, any automatic flush tank, of any kind or description, for any purpose, which will automatically dump, deposit or discharge the water therein accumulated, at periods of less than five minutes.

Third. No person, firm, company, corporation or association shall deposit, or permit to be deposited, in any part of the sewerage system of the City of Fresno, any sand, dirt, lime, cement, or seeds, or any other substance which has a tendency to settle to the bottom of the sewerage pipes, or to clog the same in any way which will interfere with the free and unobstructed flow of the sewage therein.

Fourth. No person, firm, company, corporation or association managing, maintaining, or having the control of any raisin or fruit packing house, which is connected with the sewerage system of the City of Fresno, shall permit or cause to be deposited in any part of the sewerage system of the City of Fresno any water or other substance, into which fruit or raisins have been dipped or processed, or to connect, or to cause to be connected, with the sewerage system of the City of Fresno any pipes, or sewerage connections, into or through which any seeds, pits, stems, skins or fruit may or can be deposited or placed in the sewerage system of the City of Fresno, without placing in connection with such sewerage connections a sand-trap, and also initial receptacles or tanks for the purpose of catching the seeds, stems, skins, pits and fruit and preventing them from gaining an entrance into the sewerage system, which said sand-traps and receptacles or tanks shall be constructed in accordance with the specifications and plans on file in the office of the plumbing inspector of the City of Fresno, and shall be installed to the satisfaction of said plumbing inspector of the City of Fresno.

Fifth. No person, company, corporation or association shall have any wash rack, or any other rack of any kind, connected with the sewage system of the City of Fresno, through which or by the use of which, sands, sediment, dirt or other substances which settle to the bottom of the sewer pipes, may be deposited in, or go therefrom into, the sewerage system.

Sixth. It shall be, and is hereby made, the duty of the plumbing inspector of the City of Fresno to examine and report immediately to, and thereafter from time to time to keep this Board informed by such reports of the conditions of all matters covered by this ordinance, copies of which reports shall be by said plumbing inspector filed and kept as permanent records in his office.

Seventh. A violation of this ordinance shall be a misdemeanor and upon conviction thereof the punishment shall be by fine not to exceed \$300.00, or by imprisonment in the City or County Jail not to exceed ninety days, or by both such fine and imprisonment.

Eighth. Ordinances numbered 546 and 562, and all ordinances and parts of ordinances in conflict with the provisions of this ordinance, are hereby repealed.

Ninth. This ordinance shall take effect and be in force on and after its adoption.

ORDINANCE NO. 631.

In effect Feb. 8th, 1911.

An Ordinance requiring all persons, who, within the limits of the City of Fresno, buy, sell, exchange, or otherwise deal in and with second-hand goods as a business to keep a register, and repealing Ordinance No. 553.

The Board of Trustees of the City of Fresno do ordain as follows:

First. All persons, firms, companies, or corporations, who, within the limits of the City of Fresno, buy, sell, barter, exchange, or otherwise deal in and with, second hand commodities of any kind or description, in a regularly fixed place of business, shall immediately enter, in the English language, in a register, to be kept by him, them, or it, the date any piece or portion of second hand property is purchased, and an accurate description of the property so purchased, together with the name and address of the person from whom it is purchased.

Second. Every person, firm, company, or corporation, who fails or refuses to produce his register for the inspection of, or to exhibit all articles purchased by him in his business as a second hand dealer to, any officer holding a warrant authorizing him to search for personal property, or the head of the Police Department of the City of Fresno, shall be guilty of a misdemeanor.

Third. The violation of this ordinance shall constitute a misdemeanor and the punishment therefor shall be imprisonment in the City or County Jail for not more than ninety days or by a fine of not more than \$300.00, or by both such fine and imprisonment.

Fourth. Ordinance No. 553, and all ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Fifth. This ordinance shall take effect and be in force immediately on and after its adoption.

ORDINANCE NO. 632.

In effect Feb. 8th, 1911.

An Ordinance providing for the sale and storage of petroleum and the refined products thereof, and repealing Ordinance No. 302.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. It shall be unlawful, without the permission of the Board of Trustees, for any person or persons, firm or corporation, to store, permit the storage of, or to keep for sale in any one building, within the corporate limits of the City of Fresno, a larger quantity than One Hundred gallons of crude petroleum, except when stored in a building or warehouse licensed for, used and devoted exclusively to, the storage of petroleum, gasoline, any product of petroleum or other hydrocarbon liquids.

Sec. 2. It shall be unlawful for any person or persons, firm or corporation, to store, permit the storage of, or to keep for sale in any one building within the corporate limits of the City of Fresno, a larger quantity than ten gallons of gasoline, any product of petroleum or other hydrocarbon liquids, which shall flash or emit an inflammable vapor at a temperature below 110 degrees Fahrenheit, unless the same be kept stored in a building or warehouse especially licensed for, used for and devoted exclusively to, the storage of gasoline, and other products of petroleum or hydro-carbon liquids, and such substances, in whatever quantities stored, shall always be kept in metal cans or tanks.

Sec. 3. It shall be unlawful for any person or persons, firm or corporation, to store, permit the storage of, or to keep for sale, in any one building within the corporate limits of the City of Fresno, a larger quantity than two hundred gallons of refined petroleum, and said quantity or less shall be kept in metal cans, and the said oil shall stand a temperature of 110 degrees Fahrenheit or better before it shall flash or emit an in-

flammable vapor. Provided, however, that refined petroleum in larger quantities may be kept or stored in a building or warehouse duly licensed for, used for, and devoted exclusively to, the storage of such substances.

Sec. 4. No building or warehouse shall be licensed for the purpose stated in this ordinance, except upon the recommendation, that it is suitable therefor, of the Chief Engineer of the Fire Department and a majority of the Fire Department Committee of the Board of Trustees; the License Collector shall exact for such license the sum of one dollar per month, payable quarterly in advance; provided, that no such warehouse shall be used for storage of gasoline or other products of petroleum which shall flash or emit an inflammable vapor at a temperature below 110 degrees Fahrenheit, unless such warehouse shall be especially recommended for such storage as hereinbefore provided, and shall be especially licensed for such storage, and have prominently printed externally on the front thereof in plain Roman letters, at least five inches in length, the words, "LICENSED FOR THE STORAGE OF GASOLINE."

Sec. 5. It shall be unlawful for any person, persons, firm or corporation to mix or adulterate with benzine, naphtha, gasoline or any other substance, any oil to be used for illuminating purposes, or to sell or keep the same for sale, and all oils or fluids manufactured from petroleum or its products to be used for illuminating purposes, shall be required to stand a temperature of 110 degrees Fahrenheit or better, before it shall flash or emit an inflammable vapor.

Sec. 6. Any person or persons manufacturing or selling illuminating oils or fluids made from petroleum or its products, shall be required to have stamped upon the case or package the name of the manufacturer and seller thereof, and his place of business, together with the words, "Warranted to stand a temperature of 110 degrees Fahrenheit before it will flash or emit an inflammable vapor," and any seller shall furnish a certificate of the test above when required.

Sec. 7. Any question arising under the provisions of this ordinance as to the character of the oils herein mentioned, shall be tested by, or in the presence of the Board of Fire Commissioners and the Chief Engineer of the Fire Department, and they shall decide the tests of such oils.

Sec. 8. All said articles shall be tested and their quality determined by the above designated persons, using C. J. Tagliabue's instruments, or such other improved instruments as may be approved by both parties.

Sec. 9. It shall be the duty of the Chief of the Fire Department and all police officers of the City of Fresno to carry out the provisions of Sections 1, 2, 3, 5 and 6 of this ordinance, and they may enter upon the premises where such oils are manufactured, stored, kept or sold, for the purpose of examining such oils, and no person shall hinder or obstruct such officers in carrying out the foregoing provisions.

Sec. 10. The Chief of the Fire Department and all police officers of the City of Fresno are directed to see that the provisions of this ordinance are enforced, and to file complaints in the Police Court for violation of the provisions hereof.

Sec. 11. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not more than Three Hundred Dollars, or by imprisonment in the County Jail not more than ninety days, or by both such fine and imprisonment, and the continuance or maintaining of such violation shall be deemed a new offense for each day on which the same is so continued or maintained, and shall be punished accordingly.

Sec. 12. Ordinance No. 302, and all ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Sec. 13. This ordinance shall take effect and be in force on and after its adoption.

ORDINANCE NO. 633.

In effect Feb. 23rd, 1911.

An Ordinance providing for protection against fire and establishing the fire limits within the City of Fresno, State of California, and repealing Ordinances numbered 602 and 569 of the City of Fresno.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. That the fire limits of the City of Fresno are hereby declared to constitute and be all that portion of the said City of Fresno bounded and described as follows, to wit:

Commencing at the northerly corner of lot nine (9) in block 145 of the City (formerly Town) of Fresno, thence in a southeasterly direction to the northerly corner of lot nine (9) in block 144; thence in a southwesterly direction along the southeasterly lines of lots eight (8) and twenty-five (25) in each of the blocks numbered 144, 135, 126 and 117, to the southerly corner of lot twenty-five (25) in block 117; thence at a right angle in a southeasterly direction along the northeasterly line of "M" Street to the southerly corner of block 117; thence at a right angle in a southwesterly direction along the northwesterly line of Kern Street to the easterly corner of lot seventeen (17) in block 95; thence at a right angle in a southeasterly direction to the easterly corner of lot seventeen (17) in block 96; thence at a right angle in a southwesterly direction along the northwesterly line of Inyo Street to the southerly corner of block 96; thence at a right angle in a southeasterly direction along the northeasterly line of "K" Street to the southerly corner of block 97; thence at a right angle in a southwesterly direction along the northwesterly line of Mono Street to the easterly corner of block 53; thence at a right angle in a northwesterly direction along the southwesterly line of "G" Street to the easterly corner of block 51; thence at a right angle in a southwesterly direction along the northwesterly line of Kern Street to the southerly corner of block 38; thence at a right angle in a northwesterly direction along the northeasterly line of "E" Street to the westerly corner of block 39; thence at a right angle in a northeasterly direction along the southeasterly line of Mariposa Street to the westerly corner of block 50; thence at a right angle in a northwesterly direction along the northeasterly line of "F" Street to the westerly corner of block 49; thence at a right angle in a northeasterly direction along the southeasterly line of Fresno Street to the northerly corner of block 49; thence at a right angle in a northwesterly direction along the southwesterly line of "G" Street to the northerly corner of block 46; thence at a right angle in a northeasterly direction along the southeasterly line of Stanislaus Street to the northerly corner of block 68; thence at a right angle in a southeasterly direction along the southwesterly line of "J" Street to the northerly corner of block 70; thence at a right angle in a northwesterly direction along the southeasterly line of Merced Street to the westerly corner of block 107; thence at a right angle in a southeasterly direction along the northeasterly line of "L" Street to the westerly corner of lot 21 in block 107; thence at a right angle in a northeasterly direction along the northwesterly line of said lot 21 in block 107 to the northerly corner of said lot; thence at a right angle in a southeasterly direction to the easterly corner

of lot seventeen (17) in said block 107; thence at a right angle in a northeasterly direction along the northwesterly line of Fresno Street to the southerly corner of block 114; thence at a right angle in a southeasterly direction along the northeasterly line of "M" Street to the southerly corner of lot 25 in block 116; thence at a right angle in a northeasterly direction along the northwesterly line of lots 24 and 9 in each of the blocks numbered 116, 127, 134 and 145, to the point of commencement (excepting therefrom blocks 93, 94, 105 and 106, or what is commonly known as the Fresno County Court House Park); all of said lots, blocks and streets being as the same are shown on the respective maps of the Town of Fresno on file and of record in the office of the County Recorder of the County of Fresno, the said fire limits including and comprising all of blocks 38, 39, 49, 50, 51, 58, 59, 60, 62, 63, 64, 65, 68, 69, 70, 71, 72, 73, 74, 75, 80, 81, 82, 83, 84, 85, 92, 95, and the southwesterly half of block 96; all of block 104; lots numbered from 17 to 21 both inclusive in block 107; lots numbered from 9 to 24 both inclusive in block 116; lots numbered from 1 to 8 inclusive, and lots numbered from 25 to 32 both inclusive in block 117; lots numbered from 1 to 8 both inclusive, and lots numbered from 25 to 32 both inclusive in block 126; lots numbered from 9 to 24 both inclusive in block 127; lots numbered from 9 to 24 both inclusive in block 134; lots numbered from 1 to 8 both inclusive, and lots numbered from 25 to 32 both inclusive in block 135; lots numbered from 1 to 8 both inclusive, and lots numbered from 25 to 32 both inclusive in block 144; and lots numbered from 9 to 24 both inclusive in block 145; also that parcel of land bounded as follows: Commencing at the intersection of the southeasterly line of Stanislaus Street (produced) with the southwesterly line of "H" Street, thence southeasterly along the southwesterly line of said "H" Street to the northwesterly line of Mono Street; thence southwesterly along the northwesterly line of Mono Street to its intersection with the northeasterly line of "G" Street; thence northwesterly along the northeasterly line of "G" Street to its intersection with the southeasterly line of Stanislaus Street (produced); thence northeasterly along the southeasterly line of Stanislaus Street (produced) to the point of commencement.

Sec. 2. It shall be and is hereby made unlawful for any person or persons, firm, company or corporation to erect or construct at any place within the boundaries of that portion of the City hereinbefore described as the fire limits of said City, or upon any of the lots or parcels of land included within said fire limits, any building or structure unless such building is constructed and erected in accordance with the requirements for buildings within the fire limits, as such requirements are now set forth in Ordinance No. 607 of the City of Fresno, or as may hereafter be set forth or required by ordinances supplemental thereto or amendatory thereof for buildings within the fire limits of said City.

Sec. 3. Any person or persons, firm, company or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed \$300.00, or by imprisonment in the County Jail of the County of Fresno, for a term not to exceed ninety (90) days, or by both such fine and imprisonment.

Sec. 4. Ordinances numbered 602 and 569 of the City of Fresno, and all ordinances and parts of ordinances in conflict with the provisions of this ordinance, are hereby repealed.

Sec. 5. This ordinance shall take effect and be in force, without publication, immediately on and after its passage.

ORDINANCE NO. 635.
In effect March 9, 1911.

An Ordinance prescribing and adopting general rules and standard specifications for curbing, grading and oiling of streets in the City of Fresno.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. Streets of the City of Fresno hereafter to be curbed and graded, or curbed, graded and oiled, shall, unless otherwise ordered by the Board of Trustees of said City, be curbed and graded, or curbed, graded, and oiled, in this ordinance hereinafter specified.

Sidewalk Widths.

Sec. 2. Sidewalks shall be of the following widths, viz: On streets 80 feet wide or over, the sidewalks shall be 14 feet wide; on streets 60 feet wide or over, but less than 80 feet, the sidewalks shall be 12 feet wide; on streets 50 feet wide or over, but less than 60 feet, the sidewalks shall be 10 feet wide; on all streets less than 50 feet wide, the sidewalks shall be eight feet wide, excepting, however, such sidewalks, the width of which has heretofore been or may hereafter be otherwise fixed or established by an ordinance or ordinances particularly designating same.

Crown and Cross Section.

Sec. 3. The street to be graded shall be divided longitudinally in such manner that a sidewalk shall be left on each side of the same, with a roadway in the middle. Lines of curbing shall separate the sidewalks from the roadway. Sidewalks shall slope upwards from curb to property line four inches for 14 foot sidewalks, and three inches for all other sidewalks.

Gutters, adjacent to curbs, shall be one (1) foot deep, (measured vertically from the top of curbs); the crown of the finished street shall be three (3) inches higher than the elevation of the curbs on either side, and the balance of the street between curbs to be finished to a uniform curve from crown to gutter. Alley intersections on sidewalk lines shall be graded so that at the property corners the elevation will be as required for the inner side of sidewalks; the center of said alleys on property lines, produced, shall be four inches lower than at the property corners, and then the whole alley intersection shall slope uniformly to the street gutters.

Curbs—Construction.

Sec. 4. Curbs may be either of redwood or concrete, as shall be specified in the Resolution of Intention.

(a) If wood curbs are to be used, the following specifications shall apply: All lumber used shall be of the best Coast Redwood; curb planks shall be 3 inches by 14 inches, 16 feet long except where shorter lengths are necessary to fit in the work; posts shall be 4 inches by 6 inches, 3½ feet long. Posts shall be placed on the sidewalk side of curbs, with their top ends flush with curbing, and shall be placed at every joint in the curbing and at other intervals not to exceed 5-13 feet center to center. At least four 60d nails shall be used in each plank at each post.

The curbing at corners of blocks shall be bevelled with a four foot plank of the same material as above specified. At alley intersections the curbing shall be returned squarely to alley corners along the alley lines produced, with the outside or alley edge of curb on alley line produced, and the top surface of entire curb following the rise of sidewalk.

The posts shall never be cut shorter than specified above, and the earth filling under and around them shall be puddled or tamped firmly, so that no future settling of the earth will occur. The curbs shall be placed so that their top outer edges will be on the true official grades and on the sidewalk lines; the curbs shall then be battered or sloped outwards into the roadway two (2) inches in the total depth of 14 inches.

(b) If concrete curbs are to be used, the following specifications shall apply: The foundation shall be brought to the required elevation and shall be firm; if necessary, the foundation shall be tamped, puddled or filled with sand in order to secure such suitable foundation.

The curbs shall be six (6) inches wide on the top surface, when completed; eight (8) inches wide on the bottom, and fifteen (15) inches deep; the side of curb next to the sidewalk shall be vertical, and the side next to the gutter shall batter two (2) inches into the roadway. At the block corners, on street intersections, the curbing shall be turned with a six (6) foot radius. At the alley intersections, the curbing shall be returned to the property corner, with a three (3) foot radius, in such manner that the outside, or alley, edge of the curb will be on the true alley line produced, and shall follow the grade or slope of the sidewalks.

Concrete shall be made in the proportion of one part, by measure, of a standard brand of cement, answering all of the requirements, of the amended specifications of the American Society of Civil Engineers, to 2½ parts, by measure, of clean sharp sand, to five parts, by measure, of gravel or crushed rock, maximum size to pass a 2½ inch ring.

The top of all curbs, the gutter side of all curbs, and three (3) inches, measured from the top downwards, of the back face of all curbs, shall be plastered with a ½ inch thickness of cement mortar, trowel finished, and blocked at least every six feet. Said cement mortar to be made in the proportion of one (1) part, by measure, of a standard brand of cement as heretofore specified, to 1½ parts, by measure, of clean sharp sand.

The concrete and mortar materials, of the quantity and in the proportion herein specified, shall be mixed dry, in a suitable box or on a suitable foundation, until the mixture has an even color; water shall then be added slowly while the materials are being constantly turned and mixed, until an evenly tempered and complete mixture, suitable for its purpose, is obtained. Machine mixers, satisfactory to the Street Superintendent, may be used in lieu of hand mixing. When, and as soon as, mixed, the materials shall be placed in position and tamped where necessary. No concrete or mortar which has attained its initial "set" shall be used.

Culverts.

Sec. 5. Wherever specified in the Resolution of Intention, or wherever required by conditions of surface drainage, culverts shall be constructed between curbs; they shall be four feet wide, outside measurement, and be constructed as follows: The bottom shall consist of two layers of brick, laid flat, in cement mortar mixed in the proportion of one part cement to three parts of clean sharp sand, and having the top surface one foot below the top of adjacent curbs, and extending the full width of the roadway to within ¾ feet of the curb on each side. The walls shall be nine inches thick and nine inches high, laid in cement mortar, as specified above, and shall extend over the full length of floor. 4 inch by 6 inch Coast Redwood sills shall then be laid across the walls, said sills to be laid on ¾ foot centers, and to be bevelled off from the middle, to a thickness of three inches at the ends. Space between sills, over culvert walls, to be filled flush with brick and cement mortar.

One inch Redwood boards shall then be laid on the sills from curb to curb, covering the full width of culvert, and then two inch Oregon

Pine planks shall be laid upon the Redwood boards, breaking joints in every way possible. The ends of planking over culverts, next to curbs shall be recessed into the curbs so that curb and plank will be flush. All to be spiked together to the satisfaction of the Street Superintendent. Bricks shall be first class, sound and hard burned throughout.

Sidewalk Approaches.

Sec. 6. Wherever there are no culverts to be constructed on sidewalk lines, sidewalk approaches shall be constructed across the gutters on sidewalk lines; they shall be four feet wide and extend from the curbs four feet outwardly to meet the finished surface of the graded street. Said approaches shall consist of four plank, each 2"x12" by four feet long recessed into and spiked to the curb at one end, and spiked to a 4x6 inch sill 4 feet long, at the other end.

Grading.

Sec. 7. The roadway and sidewalks shall be graded up to a height and condition that after rolling, they will present a smooth and uniform surface, free from any irregularities, depressions or lumps, and in conformity with the cross section, as hereinbefore specified. No filling shall be made with other than good sound earth.

The street shall be rolled with a roller weighing not less than ten tons, such rolling to be continued until the surface is perfectly smooth and firm. Any places not accessible to the roller shall be tamped with hard tampers, if necessary in order to make the surface perfectly smooth and firm.

Oiling.

Sec. 8. If called for by the Resolution of Intention, the roadway, between curbs, shall be oiled under the following specifications:

After the roadway has been graded, rolled and completed as hereinbefore specified, its top surface shall be loosened up and pulverized with a revolving or disc harrow, or other equally efficient means, to a depth of at least three inches. The surface shall then be thoroughly soaked with water under the direction of the Street Superintendent, after which it shall at once be uniformly oiled by a suitable sprinkler, approved by the Street Superintendent, at the rate of 1½ gallons per each square yard of surface. The disc harrow or other machine of equal efficiency shall then be used to thoroughly mix the oil and earth together. Another application of oil shall then be sprinkled upon the surface, as soon as possible, at the rate of ¾ gallon of oil per each square yard of surface. Sand shall then be sprinkled uniformly over the surface in sufficient quantity to take up the free oil. The whole surface shall then be thoroughly rolled with a roller weighing not less than ten tons. The oil used shall be a natural oil with an asphalt base, not having been treated in any way and not heavier than what is commonly known as 14 gravity oil. It must carry at least 65% asphaltum.

Sec. 9. Whenever any street or portion thereof in the City of Fresno, is to be curbed and graded, or curbed, graded and oiled, and no special specifications therefor have been adopted, said work or improvement shall be done in accordance with the specifications in this ordinance set forth, but nothing herein shall be construed to prevent the adoption of special specifications for any particular work or improvement, it being the intention of this ordinance to adopt standard specifications for work where no special specifications are adopted for the same.

Sec. 10. Sections numbered 3 and 4 of Ordinance No. 440 of the City of Fresno, (being an ordinance entitled "Ordinance No. 445, prescribing general rules and standard specifications for street, avenue, alley, place

and sidewalk work and work on sewers in the City of Fresno, where the expense thereof is a charge upon or to be assessed against private property"), and all ordinances and parts of ordinances in conflict with the provisions of this ordinance, are hereby repealed; provided, however that as to all grading and curbing of streets in the City of Fresno concerning which a resolution of intention to order work has heretofore been passed by the Board of Trustees of the City of Fresno, or any order or resolution has been passed or adopted by said Board authorizing or directing or allowing such street work, such grading and curbing and all the work and matters pertaining thereto may be carried on and completed in every respect in accordance with the specifications originally designated for and applicable thereto; and the repeal of the above numbered sections of Ordinance No. 445 shall not be construed as applying to such work, and said sections as to such work shall not be deemed to have been so repealed, but for all the purposes of said work shall be in full force and effect therefor.

Sec. 11. This ordinance shall take effect and be in force, without publication, immediately on and after its passage.

ORDINANCE NO. 636.

In effect March 9th, 1911.

An Ordinance for regulating the use of motorcycles within the limits of the City of Fresno, and repealing Ordinances Nos. 576 and 580.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. It shall be unlawful for any person to ride a motorcycle within the limits of the City of Fresno unless the exhaust of the same be muffled with a complete muffler of the latest standard design.

Sec. 2. It shall be unlawful for any person to ride a motorcycle at a greater rate of speed than eight (8) miles per hour within the district bounded by "K" street on the east and Merced on the north, "F" street on the west and Inyo street on the south, and not over 16 miles per hour at any place within the limits of the City of Fresno.

Sec. 3. The violation of this ordinance shall be deemed a misdemeanor and shall be punishable by a fine of not more than \$25, or by imprisonment in the City or County jail not to exceed ten days or by both such fine and imprisonment.

Sec. 4. Ordinances Nos. 576 and 580 and all ordinances and parts of ordinances in conflict with the provisions of this ordinance, are hereby repealed.

Sec. 5. This ordinance shall take effect and be in force immediately upon and after its adoption.

ORDINANCE NO. 637.

In effect March 9th, 1911.

An Ordinance prohibiting the playing of musical instruments at or about the entrance to places of business adjoining the public streets.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. It shall be and is hereby made unlawful for any person, firm or corporation to have outside the entrance of any theater, store or

place of business occupied, conducted or carried on by him or it, adjoining any street in the City of Fresno any piano, organ, music-box, phonograph, or other musical instrument, or instrument making, producing or reproducing noises or sounds, which instrument is there played, sounded or operated in such a manner as to attract the attention of the passers by, or to attract the attention or annoy the occupants of properties adjacent thereto, or in the vicinity thereof.

Sec. 2. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed \$300.00, or by imprisonment in the County Jail of the County of Fresno for a term not to exceed ninety days, or by both such fine and imprisonment.

Sec. 3. Ordinance No. 624 of the City of Fresno and all other ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Sec. 4. This ordinance shall take effect and be in force, without publication, immediately on and after its passage.

ORDINANCE NO. 639.

In effect March 9th, 1911.

An Ordinance relating to the construction of sewers by private contract, and providing certain rules and regulations for connection with and use of sewers and the penalty for violations of such rules and regulations.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. Whenever a lateral sewer is to be constructed in any alley or street, or other public place of this city, and the owners of the property along the line of such work determine to construct such lateral by private contract, and shall duly make and sign such contract in writing, and file with the Board a copy thereof, then such private owners or the contractor for the work shall apply to the Board of Trustees for permission to do such work and to construct such lateral.

Sec. 2. The Board of Trustees may grant permission to do such work, but the same shall be done upon the following terms and conditions, which shall be included as terms and conditions of the grant of such privilege, whether expressed in the resolution granting such privilege or not, to wit:

(a) Such lateral shall be constructed in accordance with the general system of sewerage for this City, and shall comply with and conform to the plans and specifications for such work, on file, or which may hereafter be placed on file, in the office of the City Clerk and the City Engineer, and in accordance with the designs, plans and specifications for sewers adopted, or to be adopted, from time to time, by the Board of Trustees of this City, and shall be constructed and completed under the supervisions and to the satisfaction of the Superintendent of Streets.

(b) Work on such lateral shall be commenced within ten (10) days after a permit shall have been granted by the Superintendent of Streets, in accordance with sections 5, 6 and 7 hereof, to connect with the public sewer, and such lateral sewer shall be completed within such time thereafter as will allow five (5) days for each block along which said lateral shall be constructed.

(c) Before commencing such work, each contractor shall furnish and file with the City Clerk a bond for a sum to be fixed and approved by

the Mayor, conditioned for the faithful performance of such contract according to the plans and specifications for laterals and public work as shall then be in force.

(d) The time for the commencement and completion of such work may be fixed and determined and shortened or extended at the option of the Board of Trustees.

Sec. 3. Such lateral sewer shall be, when accepted by resolution of the Board of Trustees, a component part of the public system of sewerage of said City, and forever under the control and management of the governing body of this City, and the ownership thereof shall be and remain forever in the said City of Fresno.

Sec. 4. All connections of private drains or sewers with the public sewer of the City of Fresno shall be made in accordance with the plans and specifications approved by the Board of Trustees, and on file in the office of the City Clerk at the time of such connections.

Sec. 5. No person or corporation shall make any connection with, or any opening into any public sewer, without a permit therefor from the Superintendent of Streets; and under no circumstances shall the sewerage from more than three dwellings discharge into a lateral sewer through a single pipe connecting with said lateral sewer, and then only when said three dwellings belong to one owner.

Sec. 6. The Superintendent of Streets shall before issuing to any person, firm or corporation, a permit to make any connection with a public sewer, require of such person, firm or corporation a bond in the sum of One Thousand Dollars (\$1000.00), approved by the Mayor, conditioned to indemnify and save harmless, for the period of one year from date of making such connection, the City of Fresno from any and all damages arising from making such connection with the public sewer.

Sec. 7. All permits to connect with the sewer shall be given upon the express conditions that the Board of Trustees may, at any time before the actual work is commenced, revoke and annul the same, and no party interested shall have a right to claim damages in consequence of such permit being revoked or annulled.

Sec. 8. Any person who connects any private drain with the public sewer shall be held responsible for any injury he may cause to the sewer, public street or alley. He shall restore the street or alley to the satisfaction of the Superintendent of Streets, and make good any settlement of the ground or pavement.

Sec. 9. No person or corporation shall connect any open gutter, cess-pool, privy, vault or cistern with any public sewer, or with any private sewer connecting with the public sewer.

Sec. 10. No rainwater conductors shall be connected with the public sewer, or with any private sewer connected with the public sewer, except for the purpose of flushing the sewer, in which case a special permit will be granted by the inspector of sewers, or Superintendent of Streets.

Sec. 11. No person or corporation shall injure, break or remove any portion of any manhole, lamp-hole, flush tank or any part of the public sewer, and when any person or corporation shall desire to lay or drive any pipe in any of the streets or alleys in which sewers are laid, they shall give at least twenty-four hours notice to the Superintendent of Streets, or to the inspector, appointed under section 15 hereof.

Sec. 12. No person or corporation shall deposit any garbage, offal, dead animals, filth or any substance having a tendency to obstruct the

flow of the sewage, in any manhole, lamp-hole, flush tank, water closet or sewer opening.

Sec. 13. Any person or corporation offending against either of sections 2, 6, 8 or 9 of this ordinance shall be guilty of a misdemeanor and subject to a penalty of not less than \$50.00 nor more than \$300.00 for each and every offense.

Sec. 14. The Superintendent of Streets shall have the power to stop and prevent from discharging into the public sewer any private drain-through which substances are discharged which are liable to injure the sewer, or to obstruct the flow of sewage.

Sec. 15. The Superintendent of Streets shall have power to appoint an inspector of sewers when necessary in the judgment of the Board of Trustees, who shall have all the powers conferred upon the Superintendent of Streets hereby, and the powers conferred upon such inspector by the act of the Legislature, entitled, "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18th, 1885, and the acts amendatory thereof and supplementary thereto.

Sec. 16. Every branch sewer or drain hereafter constructed with any main or lateral sewer, shall, at its point of connection with such main sewer, be left uncovered until inspected and approved by the Superintendent of Streets or Inspector of Sewers, who shall examine the same and ascertain if said connections have been made staunch and tight.

Sec. 17. It shall be the duty of every person owning a lot adjoining a lateral sewer to connect with such lateral sewer in every case where a sewer may be used from said lot by reason of being inhabited, or water being used thereon. And any person who shall fail or refuse to make such connection after having received a ten days' notice so to do from the Superintendent of Streets, shall be guilty of a misdemeanor.

Sec. 18. Whenever, in the opinion of the Board of Health and the Superintendent of Streets it is necessary for the preservation of health or the suppression of a nuisance, that connection be made with the public sewer from any property owned by private persons or corporations, or by public corporations, the Superintendent of Streets shall give reasonable notice of such opinion to the owner of such property or his agent or tenant, and notice to cause such connection to be made; failure, refusal or neglect to comply with such notice shall be a misdemeanor.

Sec. 19. All owners and occupants of premises connected with the public sewer, after having reasonable notice from the Superintendent of Streets, failing or refusing to keep such connections and hand traps clear and free from grease or other injurious matter, shall be guilty of a misdemeanor.

Sec. 20. Any pine, poplar, cottonwood, locust, willow, mulberry, eucalyptus or any other trees growing in any public street or sidewalk, along the line of any main or lateral sewer, which is endangering or which, in any way, may endanger the security or usefulness of any public sewer, is hereby declared to be a public nuisance. Whenever it may appear to the satisfaction of the Superintendent of Streets that public necessity requires the removal of any trees coming under operation of this section, it shall be the duty of said Superintendent of Streets to report the same to the Board of Trustees, and the Board of Trustees may by resolution order the same removed, and the said Superintendent of Streets, after the adoption of such resolution, shall have the authority to remove the same forthwith.

Sec. 21. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Sec. 22. This ordinance shall take effect and be in force, without publication, immediately on and after its passage.

ORDINANCE NO. 640.

In effect March 9th, 1911.

An Ordinance regulating the making of excavations in public streets, alleys, sidewalks and places within the City of Fresno.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. It shall be and is hereby made unlawful for any person, firm or corporation to make any excavation in any public street, alley, sidewalk or other public place in the City of Fresno, without first giving notice thereof to the Superintendent of Streets of said City, and making a deposit, or giving a bond as a guarantee that all damages to such streets, alleys or sidewalks will be repaired in accordance with the provisions of this ordinance and to indemnify the City of Fresno from any and all loss or injury resulting from said excavation.

Sec. 2. The person, firm or corporation desiring or intending to make any such excavation shall file with the said Superintendent of Streets, a written notice of such intention, describing specifically the location and area of the excavation or excavations intended to be made; and where such excavations are to be for the purpose of laying pipes for supplying water, gas or pipes or conduits for other purposes, said person, firm or corporation shall also file with the Superintendent of Streets a diagram of the streets, alleys, sidewalks and places, or parts thereof, proposed to be used for the purpose of laying such pipes or conduits, and said diagram shall cover no more than one mile of streets, alleys, sidewalks and places and another and separate diagram shall be filed for each additional mile or fraction of a mile to be so used.

Sec. 3. Said person, firm or corporation, at the time of giving the aforesaid notice shall deposit with said Superintendent of Streets a sum equal to thirty cents per square foot of surface of said excavation to be made in streets or other places which are macadamized or paved with asphaltum or bituminous rock or other pavement; a sum equal to twenty cents for each square foot of surface of said excavation to be made in gravel streets or places; and a sum equal to ten cents for each square foot of surface of said excavation to be made in streets or places where neither macadamized, paved or graveled; provided that no deposit shall be less than \$1.00; and provided, further, that any person, firm or corporation intending to make excavations in the public streets, alleys or places may, in lieu of said deposit, execute and file with the Superintendent of Streets a bond in the sum of \$1000.00 with sureties satisfactory to the Superintendent of Streets conditioned for the proper performance of the work to be done, and that the terms of this ordinance shall be fully and faithfully complied with and that all such excavations shall be refilled in every respect as required by the terms of this ordinance and within the time hereinafter specified. The Superintendent of Streets shall issue a receipt for said deposit setting forth the purpose for which the same was made. Where a bond is filed the Superintendent of Streets shall issue a certificate setting forth the purpose of said bond and that the same is on file in his office.

Sec. 4. It shall be the duty of the Superintendent of Streets to direct and oversee the laying of pipes and conduits put down in said streets for the supplying of water or artificial lights, and all such pipes and conduits shall be laid under his direction and supervision, and he shall cause all surplus material for any and all such work to be removed after the work is finished, or during its progress, by the parties doing the excavating.

Sec. 5. No trench dug for pipes or conduits shall remain open more than twenty-four hours after the pipe or conduits are laid and all pipes and conduits shall be laid within twenty-four hours after the trench has been made, and trenches shall be considered and deemed open as soon as the first opening is made in the street or alley for the purpose aforesaid.

Sec. 6. Within forty-eight hours after a trench is opened, it shall be filled, and if not filled by the parties opening it, then the Superintendent of Streets shall cause it to be filled and when filled it shall be in as good condition as it was before the excavation was commenced.

Sec. 7. All refilling of such excavations shall be made in the following manner, to wit:

The dirt shall be replaced, and carefully tamped in layers not exceeding two feet in thickness, as each such layer is put on, and the last layer shall be well flooded and tamped, although the same may be less than two feet in thickness. In all cases where a pipe not exceeding four inches in diameter is placed in said excavation, all the dirt removed therefrom shall be replaced therein. When the refilling of any excavation in a macadamized, graveled or unimproved street or place is completed, the same shall be well wet and rolled by a roller weighing not less than six tons, and the surface of such refilling, after the same is rolled, shall be made flush with the surrounding surface of the macadamized, graveled or unimproved street or place.

Sec. 8. Where the street or public place, in which such excavation is made, is paved with asphalt, or bituminous rock, the person, firm or corporation making the excavation shall refill the same, as hereinbefore provided, up to the under side of the pavement, and when said refilling is in proper condition, shall proceed to replace and repair the pavement torn up or damaged by such excavation and shall replace all pavement so that on the completion thereof the portion torn up or excavated shall be replaced with the same kind and character of material as was thereon at the beginning of the excavation, whether of macadam, gravel, asphalt or other pavement.

Sec. 9. It shall be the duty of any person, firm or corporation making any excavation in any public street or alley, or other public place, to place and maintain lights at each end of such excavation, and at distances of not more than fifty feet along the line thereof, from sunset of each day to sunrise of the next day, until such excavation is entirely refilled, and to place such barriers and guards along and about said excavation and work as may be necessary to properly safeguard the traveling public thereon.

Sec. 10. After such excavation is commenced, the work of making and refilling the same shall be prosecuted with due diligence, and so as not to obstruct the street or other public place or travel thereon, more than is actually necessary therefor. If the work is not so prosecuted, or if the work of refilling does not, in the judgment of the Superintendent of Streets, comply with the terms of this ordinance, the Superintendent of Streets shall notify the person, firm or corporation named in the re-

ceipt, that the work is not being prosecuted with due diligence, or that the refilling of said excavation has not been properly done, and require the person, firm or corporation, within five days of the service of such notice, to proceed with the diligent prosecution of said work or to properly complete the same, as the case may be. Such notice shall be written or printed, and shall be served personally, or by leaving it at the residence or place of business of such person, firm or corporation; or if such person, firm or corporation cannot be found, and such place of business, or place of residence, is unknown, or is outside of the City, said notice may be served by depositing it in the post office, addressed to the person, firm or corporation, at such place of business or residence, if known, or if unknown, at the City of Fresno. If such notice is not complied with the Superintendent of Streets shall do whatever work is necessary to refill said excavation, and to restore the street, or other public place, or part thereof excavated, to as good condition as the same was in before such excavation was made.

Sec. 11. The person, firm or corporation by whom any excavation in paved, macadamized or graveled public streets or place is to be made, shall be deemed and held to warrant the work of refilling and repair thereof for the period of one year after the refilling of such excavation against all defects in workmanship or materials. Whenever within said period of one year any part of the pavement or surface of any public street or place, so warranted, becomes in need of repairing, by reason of any defect in workmanship or material done or used in said work of refilling or repair, the Superintendent of Streets shall serve on the person, firm or corporation, by whom the excavation was made, a written notice, stating what repairs are necessary and requiring such repairs to be made within five days after the service of said notice. Said notice shall be served in the manner provided in Section 10 of this ordinance, and if the same is not complied with, the Superintendent of Streets shall proceed at once to make such repairs.

Sec. 12. The Superintendent of Streets shall deduct the cost of any work done or repairs made by him under the provisions of Section 6, 7 or 10 of this ordinance, from any and all deposits then in his hands, or that may thereafter come into his hands, belonging to the person, firm or corporation required by this ordinance to do such work or make such repairs. Immediately upon completion of the work of refilling and resurfacing the excavation or excavations for which a deposit has been made, as aforesaid, the Superintendent of Streets shall return and refund to the person, firm or corporation making such deposit, as in Section 3 hereof provided, the balance of such deposit, after making all deductions herein authorized. Provided, however, that said deposit shall not be returned until the Superintendent of Streets is satisfied that the work of refilling and resurfacing of said streets, alleys, or sidewalks, or other public places has been done in every respect as by this ordinance required.

If, in enforcing the foregoing provisions, the Superintendent of Streets incurs any expense, he shall keep an account of such expense and certify the same to the City Attorney, who shall immediately commence proper proceedings to collect the same from the persons or company so failing to put said streets, alleys, or other public places in proper condition and repair as in this ordinance provided, or from the sureties upon their undertaking, together with all costs or charges wherein the City has been put to.

The decision of the Superintendent of Streets as to the cost of any work done or repairs made by him under the provisions of section 6, 7, 10 or 11 hereof, shall be final and conclusive as to such cost.

Said Superintendent of Streets shall pay to the City Treasurer all sums deducted by him from all deposits, and said City Treasurer shall deposit all said sums to the credit of the "Street Fund."

Sec. 13. All excavations, refilling of excavations and repairing of pavements under the provisions of this ordinance shall be made under the supervision and direction of the Superintendent of Streets.

Sec. 14. It shall be unlawful for any person, firm or corporation to lay any gas or water service pipe, or main pipe of private sewer or any drain or other conduit, in any street or other place in the City of Fresno, at a distance less than two feet below the established grade of gutter of such street, or less than two feet below the surface of such other public place.

Sec. 15. Any person, firm or corporation engaged in making or refilling any excavation in any public street, alley or place, must at all times while such work is in progress, keep at the place where such excavation is located, the original receipt, or a copy thereof, for any deposit made for such excavation, or the original or a copy of the certificate of filing of the requisite bond, and must, on demand, exhibit the same to the Superintendent of Streets, or any of his inspectors, or any police officer.

Sec. 16. Any person violating any of the provisions of this ordinance, or doing any act herein declared to be unlawful, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding Three Hundred Dollars, or by imprisonment in the City or County Jail not exceeding ninety days, or by both such fine and imprisonment.

Sec. 17. Ordinances numbered 159, 325 and 460 of the City of Fresno, and all other ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Sec. 18. This ordinance shall take effect and be in force, without publication, immediately on and after its passage.

ORDINANCE NO. 641.

In effect March 9th, 1911.

An Ordinance relating to streets and alleys of the City of Fresno, prescribing certain rules and regulations concerning the same and adjoining properties.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. The owner, lessee, tenant or occupant of any building fronting on any of the main streets of this City may erect and maintain in good order in front of such building, by securely fastening in the outer line of the sidewalk along said street good and substantial hitching posts, not exceeding eight inches in diameter.

Sec. 2. (1) No person or corporation shall have, build or maintain any canal, ditch, flume or artificial stream or conduit for water, within or upon any street, alley or public place within the City of Fresno without the same being covered and enclosed in a safe, solid and substantial manner, with sound and durable material, and to the approval of the Superintendent of Streets and to the satisfaction of the Street Committee of the Board of Trustees.

(2) Whenever said Superintendent of Streets shall discover any such ditch, flume or artificial stream, or conduit of water uncovered, or in such condition as to be anywise inconvenient, dangerous or injurious or a

nuisance to the public in any manner, he shall give one day's notice in writing to the person or persons having or maintaining such canal, flume or artificial stream or conduit of water, such notice to specify what shall be done by said person or persons to render such canal, ditch, flume or artificial stream or conduit of water safe then such person or persons shall immediately cause the same to be covered and repaired in the manner directed by the Superintendent of Streets, and for failure to do so, such person shall be guilty of a misdemeanor, and each day of the continuance of the offense after said notice shall be deemed a separate misdemeanor.

(3) In case the person or persons aforesaid fail to comply with the notice aforesaid, or in case of an emergency, without having given such notice, the Superintendent of Streets may cause the necessary repairs to be made, and material used, and shall charge the cost of such repairs and materials against such person or persons or corporation and demand payment thereof and proceed to collect the same from such person or corporation by suit in a court of competent jurisdiction, if necessary.

(4) In case of any accident to any team, horse, vehicle or persons upon any street or other public place within the City of Fresno, it shall be the duty of the Superintendent of Streets to inquire into the same, and if caused or aggravated by any insecurity of any canal, ditch or artificial stream of water, as aforesaid, then the said Superintendent of Streets shall enter complaint and prosecute the person or persons guilty of such misdemeanor in the Police Court of this City.

Sec. 3. The owners and occupants of all residences or business lots must keep the sidewalk adjoining the same clean and clear of weeds to the outer line of the curb, and must keep all trees extending over any sidewalk or street along such lots trimmed up to a height of not less than seven feet; and owners of all vacant lots in this City must keep all grass and weeds thereon well cut down. It shall be the duty of the owners and occupants of real property fronting on alley-ways within the City of Fresno to keep all grass, weeds and other noxious growths cut down and cleared away from the alley adjoining such lots and also to cause to be removed therefrom all debris of every kind and description.

Sec. 4. At the request of any resident of the City, and at his own discretion, the Superintendent of Streets shall move or cause to be moved to a suitable place any vehicle or other article or thing found in or on any street, lane or alley in this city, in violation of law; or a nuisance or interference with public travel, trade, work or business, and immediately advertise such article or thing for sale at public auction for cash to the highest bidder. He shall not be required to remove unwieldy vehicles or other cumbersome articles, but may sell the same upon the premises where found, and in the manner and after advertisements as herein provided such sale may be had in the City of Fresno in such public place as he may deem proper at any time between the hours of nine in the morning and four in the afternoon, Sundays and holidays excepted; and one of the conditions of the sale shall be that the purchaser shall immediately remove the article or vehicle or thing sold. Such advertisements shall be by notices posted in three public places in the City, and one insertion in some daily newspaper published in the City of Fresno, stating time, place and conditions of sale, and describing property to be sold, such sale not to be less than five days after posting and publication of the notice. If the address of the owner be known, a copy of such notice shall be at the same time served on him personally or mailed to him at his post office address, properly directed and postage prepaid. The proceeds arising from such sales, after deducting all expenses and charges incurred therein, shall be retained by said Superintendent of Streets and paid on demand to the owner of the article sold, upon proof of ownership

to the satisfaction of said Superintendent of Streets; provided, that the owner of any vehicle or other article seized under the provisions of this section may reclaim the same at any time before the sale upon paying all expenses incurred thereupon, up to the time of such reclaiming, and shall immediately remove the same to some private place.

Sec. 5. At the expiration of three months after any money is received by the said Superintendent of Streets from proceeds of such sales, in case the same is not called for by the owner, the Superintendent of Streets shall pay the same over to the City Treasurer to the credit of the general fund, and upon vacating his office he shall pay over to his successor in office any sum in his hands resulting from such sales.

Sec. 6. Any dumb animal known to have been left on the streets for a period of eight hours without food or water shall be removed by any member of the Police Force to a suitable place and cared for, the expense of such care to be borne by the owner of the animal.

Sec. 7. No person shall cause or permit to be carried, hauled or drawn on any truck, dray or other vehicle belonging to him or in his charge or under his control, any load exceeding 10,000 pounds in weight upon any portion of the paved streets or sidewalks; provided, the hauling or the moving of a single article weighing more than 10,000 pounds which cannot be divided, or reduced in weight, shall not be prohibited by this section.

Sec. 8. No person shall cause or permit to be carried, hauled or drawn on any truck, dray or other vehicle belonging to him or in his charge or under his control upon any portion of the paved streets or sidewalks, any load exceeding 6000 pounds in weight unless the tires to the wheels to such truck, dray or other vehicle shall be at least four inches in width, when a load exceeding 6000 pounds and not exceeding 10,000 is carried; and at least five inches in width when a load exceeding 10,000 pounds and not exceeding 12,000 pounds is carried.

Sec. 9. No header, combined harvester, or other machine or vehicle having flanged wheels shall be run or drawn on any paved streets or sidewalk at any time.

Sec. 10. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed Three Hundred Dollars, or by imprisonment in the county jail of the County of Fresno for a period not to exceed ninety days, or by both such fine and imprisonment.

Sec. 11. Ordinances numbered 325 and 526 of the City of Fresno, and all other ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Sec. 12. This ordinance shall take effect and be in force, without publication, immediately on and after its passage.

ORDINANCE NO. 642.

In effect March 9th, 1911.

An Ordinance for protection against fire, relating to moving picture shows, requiring the plans and specifications for the picture booths and moving picture machines and the electric wiring connected therewith to be approved by the City Electrician of the City of Fresno before such booths are constructed or the machine and electric wiring installed or used.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. Where any machinery or apparatus is used in the City of Fresno for what is commonly known as moving picture shows, or shows of like character, where an admission fee is charged, or where the public is invited to or does attend, the booths, machines and electric wires connected therewith shall be constructed and installed in accordance with specifications approved by the City Electrician of the City of Fresno and not otherwise. Before any such booth is constructed, or moving picture machine, or electric wiring therefor, is installed or operated therein, the plans and specifications for such booths and electric wiring shall be approved by the City Electrician of the City of Fresno. The said City Electrician shall require all such booths and electric wiring to be so constructed and installed that the danger from fire shall be reduced to a minimum. Plans and specifications which are in substantial accord with the specifications for such purposes prepared and adopted by The Board of Fire Underwriters of the Pacific shall be accepted by the City Electrician as complying with the requirements of this ordinance, and booths constructed and the electric wiring and machines installed in substantial accord with such plans and specifications shall be deemed to be constructed and installed in all respects as required by law. No booths for moving picture machines shall be constructed, or such booths or any moving picture machines used or operated in any building in the City of Fresno, unless such booths have been constructed and the electric wiring installed in accordance with plans and specifications therefor approved by the City Electrician of said City, or the actual construction and installation thereof have been approved and accepted by such City Electrician.

Sec. 2. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed \$300.00 or by imprisonment in the County jail of the County of Fresno not to exceed ninety days, or by both such fine and imprisonment.

Sec. 3. This ordinance shall, without publication, take effect and be in force immediately on and after its passage.

ORDINANCE NO. 643.

In effect March 9th, 1911.

An Ordinance of the City of Fresno, licensing, for purposes of regulation and revenue, every kind of lawful business hereinafter specified, transacted or carried on within the corporate limits of the City of Fresno, State of California, fixing the rates of license tax upon the same and providing for the collection of said license tax, and a punishment for carrying on or conducting any such business without a license, and repealing Ordinances Nos. 500, 509, 510, 511, 512, 518, 519, 532, 545, 565, 566, 596 and 605.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. The City Clerk must prepare and have printed blank licenses of all classes mentioned in this chapter for terms of three, six and twelve months, and for such shorter terms as herein authorized to be issued, with a blank receipt attached to each for the signature of the License Collector when sold.

Sec. 2. The City Clerk must affix his official seal to, number and sign all licenses, and from time to time deliver them to the License Collector

in such quantities as may be required, taking his receipt therefor and charging him therewith, giving in the entry, the number, classes and amounts thereof.

Sec. 3. The City Clerk must keep in his office a ledger in which he must keep the License Collector's account for all licenses delivered to him, sold or returned unsold by him.

Sec. 4. It shall be unlawful for any person, firm or corporation, club or association, to commence, carry on, engage in, or continue in, in the City of Fresno, State of California, any business, trade, occupation or employment, upon which a license tax is imposed by the terms and provisions of this ordinance, and for which a license tax is required to be procured by the terms and provision of this ordinance, without first paying such license tax and procuring such license as hereinafter provided. Said license authorizes the party obtaining the same to transact the business described in such license in a particular locality in the city. Separate licenses must be obtained for each branch establishment or separate house of business; and said license, when payable quarterly, must be taken out in the quarters commencing on the first Monday of January, April, July and October of each year. Provided, that a person taking out a license under the provisions of this ordinance after the beginning of any quarter, shall only pay a pro rata amount of said sum for the balance of the time to the end of the quarter, unless herein otherwise specified.

Sec. 5. The License Collector must make diligent inquiry as to all persons in this city liable to pay a license as provided in this ordinance, and must require each person, where the license tax depends upon the receipts or amount of business transacted, to state under oath or affirmation the probable amount of business which he, or the firm of which he is a member, or for which he is an agent or attorney, or the association or corporation of which he is president, secretary or managing agent, will do in the next succeeding period for which said license may be issued, which said amount shall be computed according to the amount of business done during the period next preceding the period for which said license may be issued, unless an extension or enlargement of business is contemplated; and thereupon such person, agent, president, secretary or other officer must procure a license from the License Collector for the term desired, and in the class of which such person is liable to pay; and in all cases where an under-estimate has been made by the party applying, the party making such under-estimate, or the company he represented, shall be required to pay for a license for the next period for which license may be issued, double the sum otherwise required.

Sec. 6. Every license shall become null and void at the expiration of the term specified in the receipt issued by the City Clerk and License Collector, and the person holding said receipt shall be deemed not to hold or retain any license by virtue of having been previously licensed.

Sec. 7. On the first Monday of each month the License Collector must return to the City Clerk all licenses unsold, and be credited therewith, and must upon the order of the City Clerk, pay into the treasury for distribution as other City moneys are distributed, all moneys collected for licenses so sold during the preceding month, take the Treasurer's receipt therefor, and file duplicate copies thereof with the Clerk. The Clerk must credit the License Collector and charge the Treasurer with such monys so deposited. The License Collector must also, at the end of each quarter, file with the Clerk a statement showing in detail the value of licenses obtained by him from the Clerk, the value of licenses issued by him, the value of licenses returned by him to the Clerk, and such other information as the Board of Trustees may by resolution from time to time require.

Sec. 8. Every person who, at a fixed place of business in the City of Fresno, sells any goods, wares or merchandise, drugs or medicines, jewelry, or wares, or precious metals, whether on commission or otherwise, must obtain from the License Collector, for each branch of his business, a license, and must pay quarterly therefor an amount of money to be determined by the class in which such person is placed by the License Collector; such business to be classified and regulated by the amount of the average monthly sales made at the rates following:

(a) Where the average monthly sales are under the sum of Five Hundred Dollars, the sum of Five Dollars per quarter.

(b) Where the average monthly sales are Five Hundred Dollars and over, but are under Twelve Hundred Dollars, the sum of Seven and 50-100 per quarter.

(c) Where the average monthly sales are Twelve Hundred Dollars and over, but are under Two Thousand Dollars, the sum of Ten Dollars per quarter.

(d) Where the average monthly sales are Two Thousand Dollars and over, but are under Four Thousand Dollars, the sum of Fifteen Dollars per quarter.

(e) Where the average monthly sales are Four Thousand Dollars and over, but are under Six Thousand Dollars, the sum of Twenty Dollars per quarter.

(f) Where the average monthly sales are Six Thousand Dollars and over, but are under Ten Thousand Dollars, the sum of Twenty-seven and 50-100 Dollars per quarter.

(g) Where the average monthly sales are Ten Thousand Dollars and over, but are under Fifteen Thousand Dollars, the sum of Thirty-five Dollars per quarter.

(h) Where the average monthly sales are Fifteen Thousand Dollars and over, but are under Twenty Thousand Dollars, the sum of Forty-two and 50-100 Dollars per quarter.

(i) Where the average monthly sales are Twenty Thousand Dollars and over, but are under Twenty-five Thousand Dollars, the sum of Fifty Dollars per quarter.

(j) Where the average monthly sales are Twenty-five Thousand Dollars and over, the sum of Sixty Dollars per quarter.

Provided, however, that where any person carries on exclusively at wholesale any of the business in this section mentioned, he shall only be required to pay a license equal in amount to one-half of the license of that class under which he would fall if he were conducting a retail business, as in this section specified, but where a person conducts both a wholesale and a retail business on the same premises and desires to take advantage of the wholesale rate, he shall, in making the statement herein required of him, segregate the wholesale and retail sales, and he shall thereupon pay the license on sales for each branch. For the purpose of this section, a wholesale dealer is defined to be one who exclusively sells to retail dealers.

Sec. 9. The rates of license tax for the businesses, trades, occupations and employments hereinafter named are hereby fixed in and for the City of Fresno, and the same shall be paid by any person engaged in or carrying on the same in said city, as follows:

(1) For the business of acting as an auctioneer, \$12.50 per quarter; provided, that if the person by or for whom the auctioneering is done is an itinerant merchant or vender of goods, wares or merchandise, tem-

porarily located in this city, he shall pay a license of \$50.00 per day; provided, further, that a person duly licensed under this section shall not permit any other person not so licensed to conduct an auction under his license.

(2) For the business of banking, loaning money at interest, or in buying and selling notes, bonds, or other evidences of indebtedness of private persons, or in buying and selling state, county or city bonds, or other evidences of state, county or city indebtedness, or stocks or notes, bonds or other evidences of indebtedness of incorporated companies, or in buying and selling gold dust, gold or silver bullion, gold or silver coin:

(a) Those doing a business of \$10,000.00 per quarter, \$20.00 per quarter.

(b) Those doing business in any amount under \$10,000.00 per quarter, \$7.50 per quarter.

(3) For the business of conducting or carrying on theaters as follows: If for less than one month, \$10.00 per day; if for one month, \$20.00 per month; if for one year, \$100.00 per year or \$30.00 per quarter; provided, however, that no license shall be granted to any person, firm or corporation conducting or carrying on a theater if liquors are sold or given away in connection therewith or to the patrons thereof. For each exhibition of minstrels, opera or concert singers, the license shall be the same as required for theatrical performances.

(4) For the business of conducting or exhibiting any circus, caravan, menagerie, or any collection of animals, or acrobatic performance, the sum of \$125.00 per day. For each show, for pay, of any panorama, figures, jugglers, necromancers, magicians, wire or rope dancers or sleight-of-hand performance, or any other side show, \$25.00 per day.

Every person, firm, company or corporation owning, managing or having in their control any circus, caravan, menagerie, or any collection of animals, who shall use the streets of Fresno for the purpose of parading the same shall pay to the City of Fresno a license therefor in the sum of \$50.00 per day.

(5) For the business of conducting or exhibiting any show where the exhibition consists solely of trained animals, the sum of \$25.00 per day; this provision shall not be construed to apply to any circus, or any performance, exhibition or side show provided for in subdivision 4 of this section.

(6) For the business of exhibiting or charging a fee for the use of any microscope, lung or muscle tester, phonographic diversion, ball, knife or ring throwing, galvanized battery, or any other feat, performance or diversion of a similar character not otherwise in this ordinance specified or named, \$2.00 per day, \$10.00 per week, or \$20.00 per quarter.

(7) For the business of operating or conducting any flying horses, or merry-go-rounds, Twenty Dollars per month or fraction thereof, where the said license is payable monthly, or where it is payable annually, One Hundred Dollars (\$100.00) per year.

(8) For the business of keeping or managing any stallion, jack or bull, and permitting the same to be used for the purpose of propogation for hire, an annual license as follows:

For each horse that is hired for the purpose of propogation, at \$50.00 or more for the season, a license of \$25.00; for each horse hired at less than \$50.00, \$10.00; for each jack, \$10.00; for each bull, \$10.00.

(9) Every person, firm or corporation who operates or runs, within the City of Fresno, any dray or other vehicle used for the transportation of freight or other materials for hire must obtain from the License Col-

lector for each dray or other vehicle a license, and must pay yearly therefor the amount of money to be determined by the class in which said person, firm or corporation is placed by this ordinance; such business to be classified and regulated as follows:

(a) For every person, firm or corporation using for such purpose of drayage or transportation a single horse, the sum of \$7.50 per year.

(b) For every person, firm or corporation using for such purpose of drayage or transportation two horses attached to one wagon, the sum of \$15.00 per year.

(c) For every person, firm or corporation using, for such purpose of drayage or transportation, two teams, the sum of \$30.00 per year.

(d) For every person, firm or corporation using, for such purpose of drayage or transportation, three teams, the sum of \$45.00 per year.

(e) For every person, firm or corporation using, for such purpose of drayage or transportation, four or five teams, the sum of \$50.00 per year.

(f) For every person, firm or corporation using, for such purpose of drayage or transportation, six teams, the sum of \$60.00 per year.

(g) For every person, firm or corporation using, for such purpose of drayage or transportation, from seven to ten teams, the sum of \$80.00 per year.

(h) For every person, firm or corporation using, for such purpose of drayage or transportation, from eleven to fifteen teams, the sum of \$120.00 per year.

(i) For every person, firm or corporation using, for such purpose of drayage or transportation, from fifteen to twenty teams, the sum of \$150.00 per year.

(10) For the business of running or operating any hack, omnibus, coupe, or other vehicle, propelled by muscular power, for the transportation of passengers for hire, except street cars, \$2.00 per day or \$7.50 per quarter for each such hack, omnibus, coupe, carriage, or other vehicle so used. For the business of running or operating any automobile, locomobile or other motor vehicle for the transportation of passengers for hire, except street cars, \$2.00 per day or \$10.00 per quarter.

(11) For the business of keeping or conducting billiard, bagatelle or pool tables, \$5.00 per quarter for each billiard, bagatelle or pool table; and for each bowling alley or bed, \$7.50 per quarter for each bowling alley or bed, except where kept exclusively for private or family use.

(12) For the business of conducting a funeral or undertaking parlor, the license shall be as follows:

(a) Where the monthly sales do not exceed the sum of \$1000.00 the license shall be \$5.00 per quarter.

(b) Where the monthly sales are over \$1000.00 but not over \$2500.00 the license shall be \$20.00 per quarter.

(c) Where the monthly sales are \$2500.00 and over, the license shall be \$50.00 per quarter.

(13) For the business of conducting or operating laundries, wash-houses at fixed places of business in this city, and from each person, firm or corporation who shall solicit in the city laundry work or orders therefor, not to be done in the city, the several sums per quarter determined and fixed by the following classification, a license being paid for each separate laundry or wash-house operated or conducted, to wit:

(a) Where the average gross monthly receipts are under \$400.00, the sum of \$10.00.

(b) Where the average gross monthly receipts are \$400.00 and over, but under \$1500.00, the sum of \$20.00.

(c) Where the average gross monthly receipts are \$1500.00 and over, but under \$3000.00, the sum of \$30.00.

(d) Where the average gross monthly receipts are \$3000.00 and over, but under \$5000.00, the sum of \$40.00.

(e) Where the average gross monthly receipts are \$5000.00 and over, but under \$7000.00, the sum of \$50.00.

(f) Where the average gross monthly receipts are \$7000.00 and over, the sum of \$60.00.

(13a) For the business of running or operating any wagon or other vehicle from which any illuminating or fuel oil is sold or delivered within the limits of the City of Fresno a quarterly license shall be paid therefor for such business in accordance with the following classification:

(a) For every person, firm or corporation, engaged in such business, whose average monthly sales are less than \$500.00, a license of Five Dollars per quarter shall be paid.

(b) For every person, firm or corporation, engaged in such business, whose average monthly sales are over \$500.00 and less than \$1200.00, a license of Fifteen Dollars per quarter shall be paid.

(c) For every person, firm or corporation, engaged in such business, whose average monthly sales are over \$1200.00, a license of Twenty-five Dollars per quarter shall be paid.

14. For the business of keeping or conducting a hotel or lodging house, as follows:

(a) For a hotel of less than twenty-five rooms, the sum of \$6.00 per quarter.

(b) For a hotel of twenty-five rooms and over, but less than fifty rooms, the sum of \$10.00 per quarter.

(c) For a hotel of fifty rooms and more, but less than seventy-five rooms, the sum of \$15.00 per quarter.

(d) For a hotel of seventy-five rooms and more, the sum of \$25.00 per quarter.

(e) For a lodging house of ten rooms and more, but less than twenty rooms, the sum of \$4.00 per quarter.

(f) For a lodging house of twenty rooms and more, but less than thirty rooms, the sum of \$6.00 per quarter.

(g) For a lodging house of thirty rooms and more, but less than fifty rooms, the sum of \$10.00 per quarter.

(h) For a lodging house of fifty rooms and more, the sum of \$15.00 per quarter.

(15) (a) For carrying on, pursuing or conducting the business of accident, life or fire insurance, as agent, sub-agent or broker, having a fixed place of business in the City of Fresno, soliciting insurance of any kind, or receiving for, and forwarding or transmitting to, any company or agent, applications to insure against accident, or on life or on property in this city, \$3.00 per quarter.

(b) For carrying on, pursuing or conducting the business of accident, life or fire insurance, for each company doing business in the City of Fresno, either through agencies located here or through agents soliciting such insurance or receiving for and forwarding, or transmitting to any company, the sum of \$3.00 per quarter as a license therefor.

(c) Every itinerant or travelling insurance man or solicitor, not maintaining a regular or fixed place of business in the City of Fresno, shall pay a license of \$25.00 per quarter, or fraction thereof.

(16) For the business of a common carrier in expressing, transmitting or conveying gold dust, bars, bullion, coin, furniture or general merchandise from or to any points within California, \$50.00 per quarter.

(17) For the business of conducting or operating any warehouse or cold storage plant, used for the storage of any merchandise or goods of other persons for profit:

(a) Where the amount of business per year is under the sum of \$500.00, the sum of \$7.50 per quarter.

(b) Where the amount of business per year is \$500.00 or over, but is under \$2000.00, the sum of \$15.00 per quarter.

(c) Where the amount of business per year is \$2000.00 or over, the sum of \$30.00 per quarter.

(18) For the business of supplying or furnishing water to the City of Fresno, or to the residents thereof, \$100.00 per quarter.

(19) For the business of supplying or furnishing gas for illuminating, heating or for power, \$100.00 per quarter; for the business of supplying or furnishing electricity for illuminating, heating or for power, \$100.00 per quarter.

(20) For the business of telephoning or renting telephones or having an office in this city and there sending or receiving messages by telephones, \$50.00 per quarter.

(21) For the business of packing or preparing green or dried fruits for hire or otherwise, for shipment or otherwise, or for sale upon commission or otherwise, where the amount of fruit packed or prepared in one year is:

(a) Under 600 tons, the sum of \$50.00 per annum.

(b) 600 tons and over, but under 1200 tons, the sum of \$65.00 per annum.

(c) 1200 tons and over, but under 1800 tons, the sum of \$80.00 per annum.

(d) 1800 tons and over, but under 2500 tons, the sum of \$100.00 per annum.

(e) 2500 tons and over, the sum of \$150.00 per annum.

(22) For the purpose of peddling tickets to apply in whole or in part payment of photographs and frames by any person, firm or corporation, in the City of Fresno, and from any such person, firm or corporation soliciting orders for the same or for anything in any way connected with the business of photography, or from any such person soliciting for frames or enlarged or retouched photographs, \$50.00 per quarter for each solicitor.

(23) For the business of keeping or conducting a livery, sale or boarding stable as follows:

(a) Where the average gross monthly receipts from said business are less than \$500.00 per month, the sum of \$5.00 per quarter.

(b) Where the average gross monthly receipts from said business are \$500.00 and over, but less than \$1000.00, the sum of \$7.50 per quarter.

(c) Where the average gross monthly receipts from said business are \$1000.00 and over, the sum of \$10.00 per quarter.

(24) For the business of keeping or conducting a feed yard, the sum of \$2.50 per quarter.

(25) For the business of keeping bicycles, or tricycles for hire and letting the same out for pay, \$5.00 per quarter in addition to any license required by section eight hereof.

(26) For the business of conducting, maintaining or keeping in this city any stock or produce exchange, where orders may be placed by telegraph or otherwise, for the sale or purchase of any stocks, securities, wheat, corn, oil or other commodities, or where a call board is maintained, giving or quoting prices on any article sold, \$100.00 per year for any stock or produce exchange so conducted; provided, however, that for conducting a brokerage business in this City where stocks and bonds of oil, mining, industrial or banking corporations are bought and sold, or bought and sold on a commission basis, where actual delivery of the certificates of such stocks, is or is to be made at a specified date, the license shall be \$15.00 per quarter or fraction thereof.

(27) For the business of conducting and carrying on any pawn shop, or acting as pawnbroker, the sum of \$25.00 per quarter.

(28) For the business of keeping, operating or maintaining a shooting gallery, \$10.00 per quarter or fraction thereof.

(29) For the business of conducting a tailoring shop or establishment, where the monthly sales are under \$500.00, the license shall be \$5.00 per quarter. Where monthly sales are over \$500.00, the license shall be \$7.50 per quarter.

(30) For the business of conducting and maintaining an office or place of business in said city wherein tickets are sold for travel upon any railroad to and from places within the State of California, the sum of \$25.00 per quarter, in advance; provided, that only one license shall be collected from any one person, firm or corporation, regardless of the number of offices or places of business so maintained or conducted.

(31) For the business of maintaining or conducting a telegraph office or place of business in said City, wherein telegraphic messages are sent and received to and from points within the State of California, the sum of \$25.00 per quarter; provided, that only one license shall be collected from any one person, firm or corporation, regardless of the number of offices or places of business maintained.

(32) For the business of conducting, maintaining or operating a flour or a flour and feed mill, the sum of \$50.00 per quarter; for a feed mill, \$5.00 per quarter.

(33) For the business of manufacturing syphon soda, soda pop, or artificial mineral water:

(a) Where the average monthly sales are under the sum of \$500.00, the sum of \$7.50 per quarter.

(b) Where the average monthly sales are \$500.00 or over, the sum of \$15.00 per quarter.

(34) For the business of dealing in second-hand goods, wares or merchandise of any kind, character or description, where, as a part of any such transaction, a contract or agreement is made, or an undertaking, verbal, written or otherwise, had with the vendor, to re-sell to him the same goods, wares, or merchandise, or to sell other goods, wares or merchandise in their place or stead, then, and in case of such agreement as aforesaid, a license tax of \$25.00 per quarter shall be paid.

(35) For carrying on or conducting the business of selling or giving away trading stamps or tickets of any kind redeemable in money, merchandise or any other thing, and so redeeming the same, the sum of \$50.00 per quarter.

(36) For the business of operating or maintaining a planing mill and selling its product, the sum of \$25.00 per quarter.

(37) (a) For the business of operating or maintaining a furniture factory or doing grill work, the sum of \$5.00 per quarter.

(b) For the business of operating or maintaining a machine shop or boiler works, the sum of \$20.00 per quarter.

(38) For the business of conducting and operating a tamale house in the City of Fresno, the sum of \$5.00 per quarter.

(39) For the business of maintaining public scales for hire, the sum of \$2.50 per quarter.

(40) For the business of conducting a swimming-tank, Hammam or Turkish baths, the sum of \$15.00 per quarter.

(41) For the business of peddling or selling from wagons any fresh, salted, dried, or cured meats, within the City of Fresno, the sum of \$25.00 per quarter.

(42) For the business of posting or advertising by posting, sticking, tacking, affixing, or painting bills or signs to, or upon posts, fences, billboards, advertising boards, buildings or other structures used in whole, or in part, for advertising purposes, the license shall be \$10.00 per quarter.

(43) For the business of maintaining and operating a handball court, for each court, the license shall be \$5.00 per quarter.

(44) For the business of carpet cleaning, where the machinery used therefor is stationed outside of the building, the license shall be \$20.00 per annum.

(45) For the business of keeping or soliciting for any dyeing or cleaning establishment or carrying on the business of dyeing or cleaning, the license shall be \$5.00 per quarter.

(46) For the business of keeping an employment or intelligence office, and for each employment or intelligence office so kept, the license shall be \$5.00 per quarter.

(47) For every person, firm or corporation engaged in the real estate business, irrespective of whether such person, firm or corporation has, or has not, a fixed place of business, the license shall be \$10.00 per quarter.

(48) For the business of supplying towels for stores, offices and public institutions, at regular intervals, and for stated times, the license shall be \$5.00 per quarter.

(49) For the business of publishing a daily paper, the license shall be \$20.00 per quarter.

(50) For the business of conducting or carrying on a job printing establishment, the license shall be \$5.00 per quarter.

(51) For the business of keeping or conducting a skating rink, the license shall be \$100.00 per year.

(52) For the business of peddling delicatessen, the license shall be \$5.00 per quarter.

(53) For the business of conducting a building and loan association, the license shall be \$25.00 per quarter.

(54) For the business of peddling blocks, shavings or sawdust, the license shall be \$15.00 per year, and the wagons shall be numbered.

(55) For each bond insurance company, the license shall be \$2.50 per each company per quarter.

(56) For the business of slaughter-house peddling or delivering fresh meats in the City of Fresno to markets other than their own:

(a) Where the average monthly sales are under \$2000.00, the sum of \$12.50 per quarter;

(b) Where the average monthly sales are \$2000.00 or over, but are under \$5000.00, the sum of \$20.00 per quarter;

(c) Where the average monthly sales are \$5000.00 or over, the sum of \$50.00 per quarter;

(57) For every person peddling fish, the license shall be \$20.00 per year.

(58) For the business of moving houses or other buildings, the license shall be \$25.00 per year.

(59) For the business of conducting and carrying on any restaurant or eating house:

(a) Where the gross amount of business done is \$400.00, or more, per month, the sum of \$15.00 per quarter.

(b) Where the gross amount of business done is less than \$400.00 per month, the sum of \$12.00 per quarter.

(60) Upon the business of blacking or shining boots and shoes, being the conducting or carrying on of what is commonly known as a bootblack stand, there is hereby fixed and imposed and required to be paid a license tax, to-wit:

(a) Where at the stand or business or place there is at work at any time but one boot-black, or person engaged in the work of blacking or shining boots or shoes, the sum of \$15.00 per quarter.

(b) Where at such stand or business or place there are at any one time more than one boot-black, or person engaged in the work of blacking or shining boots and shoes, the sum per quarter of \$15.00 plus the further sum of \$5.00 for each boot-black or person, in addition to or more than one boot-black or person, at any one time at work at said stand or place; provided, however, that on Sundays and holidays, and on other special occasions, but for not more than three days in any one month in addition to Sundays and holidays, there may be employed or kept at work at any boot-black stand an extra person or extra persons in addition to the number of persons usually employed or kept at work at such stand or place, without increasing the amount to be paid as a license tax by reason thereof.

(61) Corn doctors, traveling merchants, hawkers, vendors of books, charts, maps, patent medicines, or any minor article of trade, or peddlers who vend goods, wares, merchandise of any kind, whether by sample or otherwise, to those not regularly engaged in carrying on the business of selling such books, etc., must pay a license of twenty-five dollars per month; and every such traveling merchant, hawker, or peddler who uses a wagon or cart, or one or more animals for the purpose of vending such goods, wares or merchandise of any kind, must pay a license of thirty-five dollars per month; provided, however, that every person who vends or peddles vegetables, berries or fruit, shall pay a license of twenty-five dollars per year, or for any part or portion of a year. In cases where such persons are engaged in such occupation for less time than one month, they shall pay a license of five dollars per day for each day or part of a day or night while so engaged, and when obtaining a license, such person shall state the number of days for which they shall require the same, which shall be inserted therein by the License Collector or Clerk, and on the expiration thereof they shall, before engaging further in such occupation, procure a new license; provided, that every traveling merchant, hawker, peddler or vendor, street fakir, or advertiser who advertises goods, wares, or merchandise of any kind by music, singing or dancing, jugglery, tricks, sleight-of-hand, buffoonery, gymnastics or any spectacular display, show or performance, or by speeches or oratory, or by any performance

upon the streets calculated to draw or collect a crowd of people about those so calling or advertising wares as aforesaid, shall pay a license in the sum of twenty-five dollars per day; provided further, that this section shall not apply to any farmer, who vends or peddles berries or fruit raised or grown by him on land owned or rented by him in the County of Fresno. Provided, further, that the obtaining of a license to do any of the things or for any business in this ordinance specified, shall not authorize or empower the holder of such license to do anything which is now or may hereafter be made unlawful by any ordinance of the City of Fresno, or other law applicable therein.

(62) Every person who shall engage in or carry on the business, trade, profession or calling of a soothsayer, astrologer, palmist, seer, mind reader, fortune teller, clairvoyant, spiritualist, or spirit medium within the City of Fresno, who demands or receives a fee for his or her services, or gives an exhibition at any place where an admission fee is charged, shall pay a license therefor of Ten Dollars per month or fraction thereof; provided, that this section shall not be construed to require a license from any regularly ordained or regularly authorized minister of any denomination or creed in the pursuit of his or her religious calling.

(63) Every person, firm or corporation who sells in the City of Fresno any bankrupt, assigned or damaged stock of goods, wares, merchandise, drugs, jewelry, dry goods, boots and shoes, clothing, hardware, groceries, furniture or other stock of merchandise shall pay a license of \$100.00 per quarter or fraction thereof.

(64) For the business of conducting a hospital or sanitarium, the license shall be as follows:

(a) Where there are not to exceed eight rooms in such hospital or sanitarium, the license shall be \$15.00 per quarter.

(b) Where there are more than eight rooms, the license shall be \$30.00 per quarter.

Sec. 10. The License Collector shall assign a separate number to each and every vehicle for which he issues a license and shall furnish a tin number, in duplicate, with each number thereon for which he shall charge the sum of \$1.00; provided, that no two vehicles of the same class shall have the same number. Such number shall be permanent, without regard to the ownership of such vehicle, and shall be affixed to such vehicle, by the party owning and obtaining the license, in the manner and place designated by the License Collector, and no other person shall use or drive, or permit to be driven or used, any vehicle, belonging to him or under his control, without having such number affixed thereto, and such number shall not be inverted, covered, mutilated or otherwise rendered obscure or illegible.

Sec. 11. Whenever the word "person" or "party" is used in this ordinance, referring to those liable to pay a license tax, the same is intended and shall be construed to mean and include a firm, corporation, club or association, carrying on the business for which a license must first be procured; and when the terms used in this ordinance designate the principals, the same shall be construed to mean and include the clerks, agents, servants, representatives, or employees of such principals, it being the intention to hereby license the business, and not separate or individual acts.

Sec. 12. The license tax imposed by this ordinance shall be deemed a debt due to said City of Fresno, from and against any person who commences, carries on, engages in or conducts, in said city, any business, occupation, trade of employment upon which a license tax is herein imposed,

or for the commencing, engaging in, carrying on or conducting, for which a license is herein required to be procured, without first having paid said license tax and procured said license according to the terms and provisions of this ordinance, and such person shall be liable in a civil action (as provided in the charter of said city) in the name of said City of Fresno, as plaintiff, in any court of competent jurisdiction, for the recovery of the amount of license tax imposed by this ordinance, and for the costs of suit and the penalties in said charter specified.

Sec. 13. The provisions of this ordinance shall not be construed as requiring the payment of any license tax or the procuring of any license for any exhibition or entertainment given for the benefit of any church, school or other charitable object, by any amateur dramatic association or literary society of the city.

Sec. 14. The license tax imposed by this ordinance shall become due and payable, and be paid without demand therefor, in lawful money of the United States of America, to the License Collector.

Sec. 15. Whenever the rate of license tax by this ordinance imposed is fixed at a sum for a quarter of a year, or any other period, the license tax for the whole of such quarter of a year, or other period, must be paid in advance, and a like payment must be made for each recurring quarter of a year, or other period, so long as the business, trade, occupation or employment subject to a license tax is continued.

Sec. 16. All ex-Union soldiers and sailors, honorably discharged from the military or marine service of the United States shall be permitted to vend, hawk and peddle goods, wares, fruits or merchandise (not otherwise prohibited by ordinance or by law) in the City of Fresno, without a license; provided, said soldier or sailor is engaged in the vending, hawking and peddling of the goods, wares, fruits or merchandise for himself only.

Upon the presentation of his certificate of discharge to the License Collector of said City, and showing proofs of his identity as the person named in his certificate of honorable discharge, the License Collector shall issue to said ex-Union soldier or sailor a license, but such license shall be free and said License Collector shall not collect or demand for the City any fee therefor; provided, that nothing herein shall authorize said soldiers or sailors to sell intoxicating liquors.

Sec. 17. Every person receiving a license under this ordinance shall place the same in a conspicuous place in his place of business, and all peddlers and other persons, who have no fixed place of business, must produce and show their license, whenever required to do so by any person who may make demand to see the same, and any person, who shall fail or refuse so to post, and any peddler, or other person, who shall fail or refuse so to exhibit on demand, as herein provided, the license for conducting the business in which such person or peddler may be engaged, when such license tax shall have been paid, shall, in addition to the penalties hereinafter imposed, have his license revoked, upon such notice and hearing as is in this ordinance provided.

Sec. 18. All licenses granted under this ordinance, or any section hereof, are granted and accepted by all parties receiving said license with the express understanding that the Board of Trustees may revoke the same at any time if any of the conditions of the license or terms of this ordinance have been violated, or if the license was obtained by fraudulent representations, or the holder of such license is an unfit person to be trusted with the privileges granted by said license; provided, however, that no license shall be revoked without giving the holder thereof an opportunity

to appear before said Board in his own behalf. On revocation of the license, no part of the money paid therefor shall be returned, but such license fee shall be forfeited to the City.

Sec. 19. Those ordinances of the City of Fresno which are numbered 500, 509, 510, 511, 512, 518, 519, 532, 545, 565, 566, 596 and 605, are hereby repealed; provided, however, that the enactment of this ordinance and the repealing of the above numbered ordinances shall not invalidate any license heretofore issued, but any and all such licenses shall continue and be in force and effect until the date of the expiration thereof, nor shall any person be relieved or released from the payment of any license tax now due from him under any of the terms or provisions of the aforesaid ordinances, but the amount so due, together with all penalties attached or accrued, shall be collected from him in the same way as though said above numbered ordinances were not repealed.

Sec. 20. Nothing in this ordinance contained shall be construed as in any way repealing or amending in whole or in part, ordinance No. 601 of the City of Fresno relating and pertaining to the sale, serving or giving away of intoxicating liquors.

Sec. 21. Any person violating any of the terms or provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed three hundred dollars, or by imprisonment in the County Jail of the County of Fresno for a term not to exceed ninety days, or by both such fine and imprisonment.

Sec. 22. This ordinance shall take effect and be in force, without publication, immediately on and after its passage.

ORDINANCE NO. 644.

In effect March 10, 1911.

An Ordinance relating to the streets of the City of Fresno, forbidding the standing or leaving of animals and vehicles at certain places therein.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. It shall be and is hereby made unlawful for any person to hitch, or cause or permit to be hitched, any horse, mule or other animal, or to leave standing or cause or permit to be left standing, any bicycle, motorcycle, automobile, buggy, carriage, wagon or other vehicle, or any animal, upon any street in the City of Fresno, along which street cars or interurban railway cars are run or operated, within forty feet of either side line of any street that crosses, intersects, or terminates in such street, or within forty feet of either such side line extended across such street at right angles thereto. The provisions of this ordinance shall apply, only, to that portion of the City of Fresno known as the business district as defined by ordinance No. 598.

Sec. 2. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed \$300.00, or by imprisonment in the County Jail of the County of Fresno for a term not to exceed ninety (90) days, or by both such fine and imprisonment.

Sec. 3. This ordinance shall, without publication, take effect and be in force, immediately on and after its passage.

ORDINANCE NO. 645.

In effect March 22, 1911.

An Ordinance relating to overhead wires, and requiring those corporations, companies and persons owning or operating overhead wires to send linemen to shut off the electric current on portions thereof at the time of any fire in the City of Fresno.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. That all corporations, companies and persons owning or operating overhead wires in the City of Fresno, shall, at the time of any fire in said City, send one or more linemen to the scene of the fire, and they shall promptly cause all electricity and electric currents to be switched or shut off from any and all wires or cables which might, with the electric current thereon at said time, become a menace to life and property.

Sec. 2. Said corporation, companies or persons shall arrange to have their overhead wires and the electric currents thereon subdivided in districts and circuits so that the electric currents on such wires in any district, or part of the City, may be switched or shut off, leaving the wires uncharged and harmless in such district or part of the City, but without shutting off the electric current or the electric lights or power in other parts of the City, and they shall switch or shut off the electric current from any district at the time of any fire when, if the electric current were not so switched or shut off, the charged wires would be a menace to life and property. Said lineman or linemen so present at such fire shall keep the chief, captain or person in charge of the fire apparatus at such fire informed as to the wires which have been disconnected, or from which the electric current has been switched or shut off, and of the wires which remain charged with electricity.

Sec. 3. All such corporations, companies and persons, with all reasonable diligence, when the fire has been extinguished, or the danger from the electric currents or overhead wires has ceased, shall promptly restore all wires to a safe condition and cause the electric current to be switched on, and at no time, except for the protection of life or property, shall it or they cause any portion of the City to be without light or power where such corporation, company or person has undertaken or is in any manner required to furnish such light or power.

Sec. 4. Every person, company or corporation that shall violate any provision of the ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than three hundred dollars, or by imprisonment in the County Jail of the County of Fresno for a period not to exceed ninety days, or by both such fine and imprisonment.

Sec. 5. This ordinance shall, without publication, take effect and be in force immediately on and after its passage.

APPENDIX*

LIST OF WATER ORDINANCES.

- Ordinance No. 131: Establishing water rates from July 1st, 1889.
Ordinance No. 186: Establishing water rates from July 1st, 1890.
Ordinance No. 227: Establishing water rates from July 1st, 1891.
Ordinance No. 249: Establishing water rates from July 1st, 1892.
Ordinance No. 272: Establishing water rates from July 1st, 1893.
Ordinance No. 289: Establishing water rates from July 1st, 1894.
Ordinance No. 297: Establishing water rates from July 1st, 1895.
Ordinance No. 318: Establishing water rates from July 1st, 1896.
Ordinance No. 329: Establishing water rates from July 1st, 1897.
Ordinance No. 339: Establishing water rates from July 1st, 1898.
Ordinance No. 349: Establishing water rates from July 1st, 1899.
Ordinance No. 373: Establishing water rates from July 1st, 1900.
Ordinance No. 384: Establishing water rates from July 1st, 1901.
Ordinance No. 412: Establishing water rates from July 1st, 1902.
Ordinance No. 440: Establishing water rates from July 1st, 1903.
Ordinance No. 451: Establishing water rates from July 1st, 1904.
Ordinance No. 479: Establishing water rates from July 1st, 1905.
Ordinance No. 538: Establishing water rates from July 1st, 1907.
Ordinance No. 568: Establishing water rates from July 1st, 1908.
Ordinance No. 615: Establishing water rates from July 1st, 1910.
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LIST OF ELECTION ORDINANCES.

Ordinance No. 64: Calling special election for bonds for school purposes, and for protection from fire and from flood.

Ordinance No. 66: Notice of election, called by Ordinance No. 64, approved, and publication of same ordered.

Ordinance No. 70: Declares result of election called by Ordinance No. 64.

Ordinance No. 74: Calling special election for sewer bonds.

*For the text of ordinances listed in this appendix, reference must be had to the Books of Ordinances in the office of the City Clerk.

Ordinance No. 79: Notice of election, called by Ordinance No. 74, approved, and publication of same ordered.

Ordinance No. 80: Declares result of election called by Ordinance No. 74.

Ordinance No. 94: Calling special election for bonds for fire, flood and school purposes.

Ordinance No. 95: Notice of election, called by Ordinance No. 94, approved, and publication of same ordered.

Ordinance No. 101: Declares result of election called by Ordinance No. 94.

Ordinance No. 213: Calling special election for bonds for school purposes.

Ordinance No. 228: Calling special election to submit question of incurring indebtedness for acquiring and constructing school grounds and buildings.

Ordinance No. 229: Notice of election, called by Ordinance No. 228, approved, and publication of same ordered.

Ordinance No. 234: Declares result of election called by Ordinance No. 228.

Ordinance No. 268: Calling for special election for bonds to complete the sewer system.

Ordinance No. 269: Notice of election, called by Ordinance No. 268, approved, and publication of same ordered.

Ordinance No. 300: Calling special election submitting the proposition of incurring indebtedness to complete the sewer system.

Ordinance No. 301: Notice of election, called by Ordinance No. 300, approved, and publication of same ordered.

Ordinance No. 304: Declares result of election called by Ordinance No. 300.

Ordinance No. 400: Calling special election submitting the proposition of acquiring a system of water works, by incurring indebtedness.

Ordinance No. 401: Calling special election for bonds for an electric light and power system.

Ordinance No. 425: Calling special election for bonds for a septic tank system.

Ordinance No. 432: Calling special election for bonds for the purchase of the necessary lands for and the construction of a septic tank, also lands for an intercepting sewer.

Ordinance No. 454: Calling special election for submitting a plan for a septic tank system, and if approved, for incurring bonded indebtedness therefor.

Ordinance No. 475: Calling special election submitting proposals to amend Charter, embodied and described in eleven certain ordinances herein referred to. (Ord. 463-473).

Ordinance No. 492: Calling special election submitting plan for disposal of outfall sewage by means of septic tanks and sewer farm.

Ordinance No. 493: Calling special election for bonds for City Hall.

Ordinance No. 579: Calling special election to submit anti-liquor license ordinance or referendum for April 12, 1909.

Ordinance No. 608: Calling special election for park and play-ground bonds.

Ordinance No. 609: Calling special election to submit proposition for annexing outside territory to the City.

LIST OF TAX ORDINANCES.

Ordinance No. 39: Tax to provide for the issue of fire and overflow bonds. (Repealed by Ordinance No. 45).

Ordinance No. 45: Repeals Ordinance No. 39.

Ordinance No. 57: Tax to provide for the issue of fire and overflow bonds. (Amended by Ordinance No. 58).

Ordinance No. 58: Amending Section 3 of Ordinance No. 57.

Ordinance No. 87: Tax to pay interest on sewer bonds and the principal thereof.

Ordinance No. 113: Tax to pay the interest on bonds issued under the provisions of Ordinance No. 104.

Ordinance No. 239: Tax to pay school bonds provided for by Ordinance No. 236.

Ordinance No. 383: Providing for levy and collection of taxes, consolidating certain municipal offices, and providing for performance of duties by certain county officers, and fixing compensation, in accordance with Act of Legislature of March 27, 1895.

Ordinance No. 389: Determines amount of money necessary to be raised by taxation for year 1901-2.

Ordinance No. 391: Fixing rate of taxes on property in City Limits for school purposes, for fiscal year beginning July 1, 1901, and ending June 30, 1902.

Ordinance No. 404: Providing for levy and collection of taxes, consolidating and abolishing certain municipal offices, and providing for performance of duties by certain county officers, and fixing compensation, in accordance with an Act of Legislature of March 27, 1895.

Ordinance No. 420: Determines amount of money necessary to be raised by taxation for year 1902-3.

Ordinance No. 421: Fixing rate of taxes on property in City Limits for fiscal year beginning July 1, 1902, and ending June 30, 1903.

Ordinance No. 430: Providing for levy and collection of taxes, consolidating and abolishing certain municipal offices, and providing for performance of duties by certain county officers, and fixing compensation, in accordance with Act of Legislature of March 27, 1895.

Ordinance No. 442: Determines amount of money necessary to be raised by taxation for year 1903-4.

Ordinance No. 443: Fixing rate of taxes on property in City Limits for use in carrying on City Government, for fiscal year beginning July 1, 1903, and ending June 30, 1904.

Ordinance No. 448: Providing for levy and collection of taxes, consolidating and abolishing certain municipal offices, and providing for performance of duties by certain county officers, and fixing compensation, in accordance with an Act of Legislature of March 27, 1895.

Ordinance No. 457: Determines amount of money necessary to be raised by taxation for year 1904-5.

Ordinance No. 459: Fixing rate of taxes for carrying on City Government for fiscal year beginning July 1, 1904, and ending June 30, 1905.

Ordinance No. 478: Providing for levy and collections of taxes, consolidating and abolishing certain municipal offices, and providing for performance of duties by certain county officers, and fixing compensation, in accordance with an Act of Legislature of March 27, 1895.

Ordinance No. 488: Determines amount of money necessary to be raised by taxation for year 1905-6.

Ordinance No. 489: Fixing rate of City taxes on property for fiscal year beginning July 1, 1905, and ending June 30, 1906.

Ordinance No. 503: Electing for the City to avail itself of the provisions of the Act of Legislature authorizing municipalities to have taxes assessed and collected by, and deposited with County officers.

Ordinance No. 521: Determines amount of money necessary to be raised by taxation for year 1906-7.

Ordinance No. 522: Fixing rate of taxes for property for fiscal year beginning July 1, 1906, and ending June 30, 1907.

Ordinance No. 536: Electing for the city to avail itself of the provisions of the Act of the Legislature authorizing municipalities to have taxes assessed and collected by, and deposited with County officers.

Ordinance No. 547: Determining amount of money necessary to be raised by taxation for year 1907-8.

Ordinance No. 550: Fixing rate of City taxes on property for fiscal year beginning July 1, 1907, and ending June 30, 1908.

Ordinance No. 555: Extending time for payment of taxes, etc.

Ordinance No. 559: Electing for the City to avail itself of the provisions of the Act of the Legislature authorizing municipalities to have taxes assessed and collected by, and deposited with County officers.

Ordinance No. 570: Determines amount of money necessary to be raised by taxation for year 1908-9.

Ordinance No. 571: Fixing rate of City taxes on property for fiscal year beginning July 1, 1908, and ending June 30, 1909.

Ordinance No. 577: Electing for the City to avail itself of the provisions of the Act of the Legislature authorizing municipalities to have taxes assessed and collected by, and deposited with County officers.

Ordinance No. 590: Determining amount of money necessary to be raised by taxation for year 1909-10.

Ordinance No. 591: Fixing rate of City taxes on property for fiscal year beginning July 1, 1909, and ending June 30, 1910.

Ordinance No. 606: Electing for the City to avail itself of the provisions of the Act of the Legislature authorizing municipalities to have taxes assessed and collected by, and deposited with County officers.

Ordinance No. 618: Determining amount of money necessary to be raised by taxation for year 1910-11.

Ordinance No. 626: Electing for the City to avail itself of the provisions of the Act of the Legislature authorizing municipalities to have taxes assessed and collected by, and deposited with County officers.

LIST OF ORDINANCES ACCEPTING STREETS.

Ordinance No. 139: Accepting L Street, from Fresno Street, northwesterly to the City Limits.

Ordinance No. 142: Accepting Mono Street, between H and I Streets, and Inyo Street between H and I Streets.

Ordinance No. 143: Accepting H Street from south side of Ventura Street to Stanislaus Street.

Ordinance No. 144: Accepting J Street from north side of Kern Street to center of San Joaquin Street, except from center of Tulare Street to center of Fresno Street and except the half of the street and sidewalk in front of lots 14, 15 and 16, in block 69.

Ordinance No. 162: Accepting Tulare Street from east side of H Street to east side of J Street.

Ordinance No. 163: Accepting I Street from north side of Kern Street to south side of Fresno Street, except crossings of Tulare and Mariposa Streets.

Ordinance No. 165: Accepting J Street from Tulare Street to Mariposa.

Ordinance No. 166: Accepting M Street from Fresno Street to north City limit line.

Ordinance No. 167: Accepting Q Street from Mariposa to Tulare Streets.

Ordinance No. 170: Accepting Tuolumne Street from H to O Streets.

Ordinance No. 171: Accepting K Street from Tuolumne Street north to City Limits

Ordinance No. 172: Accepting San Joaquin Street from H Street to M Street.

Ordinance No. 173: Accepting Stanislaus Street from H. to N Streets.

Ordinance No. 177: Accepting J Street from San Joaquin Street north to City Limits.

Ordinance No. 178: Accepting Calaveras Street from H to N Streets.

Ordinance No. 180: Accepting Mariposa Street from H Street to east side of K Street.

Ordinance No. 183: Accepting Kern Street from L to P Streets.

Ordinance No. 184: Accepting M Street from Fresno Street to Ventura Avenue.

Ordinance No. 185: Accepting Mono Street from I to P Streets.

Ordinance No. 187: Accepting J Street from Mariposa to Fresno Streets.

Ordinance No. 188: Accepting G Street from Kern to Fresno Streets.

Ordinance No. 189: Accepting L Street from Tulare Street to Ventura Avenue.

Ordinance No. 190: Accepting Mariposa Street from M to S Streets.

Ordinance No. 191: Accepting Merced Streets from H Street to easterly City limit line.

Ordinance No. 192: Accepting Q Street from Mariposa to Fresno Streets.

Ordinance No. 193: Accepting Inyo Street from I to P Streets.

Ordinance No. 194: Accepting Mariposa Street from east line of H Street to west line of H Street.

Ordinance No. 196: Accepting I Street from Ventura Street to Amador Street.

Ordinance No. 197: Accepting Kern Street from G Street to E Street.

Ordinance No. 198: Accepting E Street from Kern Street to Tuolumne Street.

Ordinance No. 199: Accepting N Street from Ventura Avenue to Stanislaus Street.

Ordinance No. 200: Accepting J Street from Kern Street to Ventura Avenue.

Ordinance No. 203: Accepting Tulare Street from G Street to D Street.

Ordinance No. 207: Accepting L Street from Ventura Street to Los Angeles Street.

Ordinance No. 208: Accepting K Street from Kern Street to Los Angeles Street.

Ordinance No. 209: Accepting Ventura Street from H Street to easterly City limits line.

Ordinance No. 225: Accepting Mariposa Street from F to G Streets.

Ordinance No. 235: Accepting F Street from Tulare to Fresno.

Ordinance No. 244: Accepting Tulare Street from J Street to the easterly line of the City limits.

Ordinance No. 245: Accepting K Street from Mariposa Street to Kern Street.

Ordinance No. 273: Accepting R Street from Mariposa Street to Tulare Street.

Ordinance No. 364: Accepting Blackstone from northerly terminus of O Street, north to City limits.

LIST OF ORDINANCES CLOSING STREETS.

Ordinance No. 367: Closing Q Street from southeasterly line of Tulare Street northeasterly to City Limits at intersection of Q Street with roadway of Pollasky Branch of Southern Pacific Railroad at southeasterly Limits of City.

Ordinance No. 368: Closing Kern Street from a line 40 feet northeasterly from and parallel to northeasterly boundary line of alley running through Blocks 143 and 144 northeasterly to southwesterly line of alley running through Blocks 154 and 155.

Ordinance No. 369: Closing Inyo Street from line 40 feet northeasterly from and parallel to northeasterly boundary line of alley running through Blocks 142 and 143 northeasterly to southwesterly line of alley running through Blocks 155 and 156.

Ordinance No. 370: Closing Mono Street from line 40 feet northeasterly from and parallel to northeasterly boundary line of alley running through Blocks 141 and 142 northeasterly to southwesterly line of alley running through Blocks 156 and 157.

Ordinance No. 371: Closing Santa Clara Street from line 40 feet northeasterly from northeasterly boundary line of alley running through Blocks 140 and 178, northeasterly to City limits.

Ordinance No. 372: Closing alley running through Block 158 between Lots 7 to 10 inclusive and 11 to 19 inclusive in Block 158.

FRANCHISE ORDINANCES.

Ordinance No. 27. In effect July 30, 1886. Franchise to Lewis Leach, et al., and to Electric Light and Power Company. Term 50 years. To erect and maintain in the streets, alleys and public places in this City such poles, wires and other appliances as may be necessary or convenient for the transmission and application of electricity for light or power or other useful purposes.

Ordinance No. 41. In effect March 25, 1887. Franchise to George L. Bradley, M. J. Church, George W. Meade, W. W. Phillips, J. R. White and F. G. Berry. Term 25 years. Commencing at the intersection of Mariposa and H Streets, thence along the center line of Mariposa Street to "R" Street, thence along the center line of "R" Street to Tulare Street, thence northeasterly along the center of Tulare Street to the boundary of said City of Fresno, together with all necessary side-tracks. Forfeited by 355.

Ordinance No. 42. In effect April 8, 1887. Franchise to Fresno Water Company. Term 25 years. Privilege of laying down pipes in the streets, alleys, avenues and other places of the City of Fresno for supplying water for the streets and buildings thereon, and the inhabitants of said City.

Ordinance No. 47. In effect April 22, 1887. Franchise to Western Electric Company. Term 30 years. To erect and maintain in the streets, alleys and public places in this City such poles, wires and other appliances as may be necessary or convenient for the transmission and application of electricity for light or power or other useful purposes.

Ordinance No. 49. In effect May 6, 1887. Franchise to George H. Eggers and Herman C. Eggers. Term 25 years. Privilege to erect and maintain in the streets, alleys and public places in this City, such poles, wires and other appliances as may be necessary or convenient for the transmission and application of telephone, telegraph and other electric systems.

Ordinance No. 50. In effect May 13, 1887. Franchise to George McCullough, E. C. Winchell, C. G. Sayle, W. F. McVey, George L. Bradley, M. J. Donahoo and J. D. Fiske. Term 25 years. Commencing at the intersection of Mariposa and "H" Street; thence along the center line of Mariposa Street to the center of "J" Street; thence along the center line of "J" Street to the center of Tuolumne Street; thence along the center line of Tuolumne Street to the center of "O" Street; thence along the center line of "O" Street to the northern limit of the City of Fresno.

Ordinance No. 56. In effect June 24, 1887. Franchise to G. L. Bradley, M. J. Church, G. W. Meade, W. W. Phillips, J. R. White and F. G. Berry. Construction must be commenced within 6 months and completed within 9 months from date of passage of this ordinance. Repealed by Ordinance 355.

Ordinance No. 62. In effect September 16, 1887. Franchise to Thos. E. Hughes, J. H. Hamilton, Lewis Leach, Alexander Gordon, and M. J. Donahoo. Term 25 years. Commencing at the Railroad Depot on the Railroad Reservation at a point opposite the center of Tulare Street and running thence up the center of Tulare Street to a point where a line in the center of said Tulare Street intersects a similar line in I Street; and thence on a line in the center of I Street, southeasterly to the limits of said City. And, also, on and over the following named streets in said City, to-wit commencing at a point where the center line of Ventura Streets intersects the center line of I Street; and thence along the said center line of said Ventura Street, northeasterly along said center line of Ventura Street to the limits of said City of Fresno.

Ordinance No. 63. In effect September 23, 1887. Franchise to J. G. Rhodes, J. A. Waterman, B. R. Woodworth and M. W. Muller. Term 50 years. Commencing on the west line of "H" Street in the center of Mariposa Street; thence up the center of Mariposa Street to a point where "J" Street intersects said Mariposa Street in the center of said streets, thence at right angles southeasterly in the center of "J" Street to the center of Mono Street, thence at right angles northeasterly in the center of Mono Street to a point in the center of "O" Street, thence

northwesterly in the center of "O" Street to the center of Stanislaus and "O" Streets, thence at right angles, southwesterly in the center of Stanislaus Street to a point in the center of "K" and Stanislaus Streets, thence at right angles northwesterly in the center of "K" Street to a point in the center of Calaveras and "K" Streets, thence at right angles southwesterly in the center of Calaveras Street to the center of Calaveras and "J" Streets, thence at right angles northwesterly in the center of "J" Street to the center of Sacramento and "J" Streets, thence at right angles southwesterly in the center of Sacramento Street to a point in the center of Sacramento and "E" Streets, thence at right angles southeasterly in the center of "E" Street to a point in the center of Tulare and "E" Streets, thence at right angles northeasterly in the center of Tulare to "G" Street, thence at right angles northwesterly in the center of "G" Street to a point in the center of Mariposa and "G" Streets, thence at right angles northeasterly in the center of Mariposa Street to the point of beginning. Furthermore, beginning in the center of Mariposa and "H" Street, thence running northwesterly in the center of "H" Street to a point in the center of Stanislaus and "H" Streets, thence at right angles northeasterly in the center of Stanislaus Street to a point in the center of "K" and Stanislaus Streets connecting there with the main line; thence at right angles southeasterly in the center of "K" Street to a point in the center of Tulare and "K" Streets; thence at right angles northeasterly in the center of Tulare Street to the intersection of the main line on "O" Street. Furthermore, beginning at a point in the center of "J" and Mono Streets, connecting with the main line, thence running southwesterly in the center of Mono Street to the center of Mono and "E" Streets, together with right of way necessary therefor, and for turnings, turnouts, etc.

Ordinance No. 71. In effect November 4, 1887. Franchise to George McCollough, E. C. Winchell, C. G. Sayle, W. F. McVey, George L. Bradley, M. J. Donahoo and J. D. Fiske. Term 25 years. Commencing at the intersection of H and Mariposa Streets, thence running up Mariposa Street, through J Street to Tuolumne Street, through Tuolumne Street to O Street and through O Street to the northern limit of said City. Extended to and including the 1st day of May, 1888.

Ordinance No. 72. In effect November 11, 1887. Franchise to J. G. Rhodes, B. R. Woodworth and J. A. Waterman. Term 50 years. Commencing at a point in the center of Sacramento and G Streets, thence running northwesterly in the center of G Street to a point in the center of G Street where the same meets the South Avenue of the American Addition to the City of Fresno; furthermore, commencing at a point in the center of F and Sacramento Streets, thence running northwesterly on said F Street in the center of said street to a point where said F Street meets the South Avenue of the American Addition to the City of Fresno. Forfeited by 169.

Ordinance No. 85. In effect February 16, 1888. Franchise to Frank E. Tadlock, Jr., Frank H. Ball, C. G. Hutchinson, Timothy Paige and M. J. Donahoo. Term 50 years. Commencing at the intersection of Mariposa and J Streets, thence along the center of said south J Street, to the southeastern limits of said City, to what is now known as "Hamilton Street" in Woodward's Addition to the City of Fresno. Forfeited by 169.

Ordinance No. 89. In effect March 15, 1888. Franchise to E. C. Winchell, A. M. Drew, W. R. Thomas, T. C. White, J. P. Vincent, and H. P. Hedges. Term 50 years. Commencing at the intersection of J Street, with the line of the middle of Mariposa Street in said City, thence running northwesterly along the line of the middle of J Street to the northern limit of said City, at the half section line which runs east and west

through the middle of sections four and five in township fourteen south, of range twenty east, of the base and meridian of Mount Diablo.

Ordinance No. 99. In effect May 8, 1888. Franchise to Western Union Telegraph Company. Term 50 years. Privilege of erecting and maintaining in the streets, alleys and public places in this City, such poles, wires and other appliances as may be necessary and convenient for the conducting of their business of telegraphing.

Ordinance No. 100. Amends Ordinance No. 50, and extends time for completing street railroad.

Ordinance No. 106. In effect June 11, 1888. Franchise to A. H. Emery, Frank H. Ball, F. D. Vanderlip, J. M. Cory, C. G. Hutchinson and Frank E. Tadlock, Jr. Term 25 years. To erect, operate and maintain poles, masts, arms, wires and all necessary connections within the avenues, streets, alleys, lanes and public grounds of said City of Fresno, for the purpose of conducting and conveying currents for the distribution of electricity for public and domestic uses, either for Arc or Incandescent lighting, power, storage batteries, or any other uses to which electricity may be applied.

Ordinance No. 108. In effect September 8, 1888. Franchise to Fresno Railroad Company. Term 50 years. Commencing at the center of Tulare Street in the center of I Street, and thence running up the center of I Street north to a point where a line in the center of I Street intersects a similar line in J Street, and north in center of J Street to limits of said City.

Ordinance No. 111. In effect October 2, 1888. Franchise to Pacific Postal Telegraph Cable Company. Term 50 years. To erect and maintain in the streets, alleys, and public places in this City such poles, wires and other appliances as may be necessary or convenient for the purposes of a system of telegraphy.

Ordinance No. 117. In effect December 5, 1888. Franchise to Fresno Railroad Company. Term 50 years. Commencing at a point where a line in the center of "I" Street intersects a similar line in the center of Calaveras Street, and thence on a line in the center of "I" Street northwesterly to City limits of Fresno together with the right of way necessary therefor and turnings, turnouts, etc., of proper width, the cars upon such road to be propelled by horse power, stationary steam power, electricity or other power for the term of fifty years. Forfeited by 169.

Ordinance No. 119. In effect December 20, 1888. Franchise to Frank H. Ball, Frank E. Tadlock, Jr., C. G. Hutchinson, J. M. Cory, and F. D. Vanderlip. Term 50 years. Commencing at the intersection of Mariposa and J Streets, thence along the center of said South J Street to the southeastern limits of said City, to what is now known as Hamilton Street in Woodward's Addition to the said City of Fresno.

Ordinance No. 120. In effect December 13, 1888. Franchise to H. W. Snow, A. J. Weiner, W. F. Hills, J. N. Pattison and A. S. Edgerly. Term 50 years. Commencing at the center of Fresno Street at its intersection with H Street; thence running northeasterly along the center of said Fresno Street to the City Limits. Forfeited by 169.

Ordinance No. 126. In effect January 17, 1889. Franchise to J. H. Long and H. D. Long. Term 50 years. Commencing at or near the point where Mariposa Street crosses the Southern Pacific Railroad, thence running southwesterly along the middle of Mariposa Street to the southwesterly line of the City of Fresno. Section 6 amended by 129

Ordinance No. 127. In effect January 30, 1889. Franchise to J. G. Rhodes. Term 50 years. Commencing in the center of I Street where

the northwesterly line of Mariposa Street intersects I Street, thence northwesterly along the center of I Street to Calaveras Street, thence along the center of Calaveras Street northeasterly to the City limits; also beginning at the center of I and Calaveras Street to H Street; thence northwesterly on the center of H Street to the City limits on the north. Forfeited by 169.

Ordinance No. 129. Amends Section 2, Ordinance No 126, prescribing conditions of franchise.

Ordinance No. 134. In effect March 13, 1889. Franchise to W. S. McMurry, Jr. Term 50 years. Right to erect and maintain in the streets, alleys, and public places of the City of Fresno, such poles, masts, wires and other appliances as may be necessary and convenient for the production, transmission and application of electricity for light, heat, motive power, mechanical, scientific, domestic or other useful purposes. Forfeited by 310.

Ordinance No 140. Amends Section 2, Ordinance No. 127, prescribing conditions of franchise.

Ordinance No. 141. In effect May 22, 1889. Franchise to Fresno Railroad Company. Term 50 years. Commencing at a point where a line in the center of Inyo Street intersects a similar line in the center of I Street, and thence on a line in the center of Inyo Street northeasterly to City limits of Fresno, together with the right of way necessary therefor and for turnings, turnouts, etc., of proper width. Forfeited by 230.

Ordinance No. 150. Amends Section 8, Ordinance No. 126, and extends time for completing street railroad.

Ordinance No 164. In effect December 26, 1889. Franchise to J. R. White and E. B. Perrin. Term 50 years. Beginning at the intersection of Monterey Street at the southerly limit of said City, with that certain public highway in said City, known as Elm Avenue, running thence northeasterly along the center of said Monterey Street to the easterly or northeasterly limit of said City. Forfeited by 230.

Ordinance No. 169. In effect February 12, 1890. Forfeitures of franchises.

Grant, September 19th, 1887, per Ordinance No. 63, to Rhodes, Waterman and others.

Grant, October 1st, 1887, per Ordinance No 72, to Rhodes, Woodworth and others.

Grant, February 13th, 1888, per Ordinance No. 85, to Tadlock, Ball and others.

Grant September 3d, 1888, per Ordinance No. 108, to Fresno Railroad Company.

Grant, December 3d, 1888, per Ordinance No. 117, to Fresno Railroad Company.

Grant, December 3d, 1888, per Ordinance No. 119, to Tadlock, Ball and others.

Grant December 10th, 1888, per Ordinance No. 120, to Snow, Weiner and others.

Grant, January 28th, 1889, per Ordinance No. 127, to J. G. Rhodes.

Ordinance No. 174. In effect February 14, 1890. Franchise to J. G. Rhodes. Term 50 years. Commencing in the center of I Street where the northwesterly line of Mariposa Street intersects I Street, thence northwesterly along the center of I Street to Calaveras Street northeasterly to the City limits; also beginning at the center of I and Calaveras Street to H Street, thence northwesterly on the center of H Street to the City limits, on the north. Forfeited by 263.

Ordinance No. 202. In effect June 5, 1890. Franchise to George L. Bradley, M. J. Church, George W. Meade, W. W. Phillips, J. R. White and F. G. Berry. Term 25 years. Commencing at the intersection of Mariposa and H Streets; thence along the center line of Mariposa Street to K Street; thence along the center line of K Street to Tulare Street; thence northeasterly along the center line of Tulare Street to the boundary line of said City of Fresno; and also commencing at the intersection of Mariposa and H Streets; thence along the center line of H Street in a southeasterly direction to the City limits. Together with all necessary sidetracks. Repealed by 355.

Ordinance No. 204. In effect June 27, 1890. Franchise to Fresno Railroad Company. Term: Commenced within three months and completed within eighteen months of the date of May 20, 1889. Forfeited by 230.

Ordinance No. 212. In effect July 16, 1890. Franchise to Robert Barton. Term 50 years. To erect and maintain in the streets, alleys and public places in the City of Fresno all such poles, cross-arms, and wires thereto suspended as shall or may be necessary and convenient for the production, transmission and application of electricity for light, heat, motive power, mechanical, scientific, domestic or other useful purposes.

Ordinance No. 214. In effect September 3, 1890. Franchise to Fresno Street Railroad Company. Term 25 years. Commencing at the intersection of Mariposa and H Streets, thence along the center line of H Street to the center of Merced Street, thence along the center line of Merced Street to the center of Grand Avenue, thence westerly along the center line of Grand Avenue to the City limits. Forfeited by 250.

Ordinance No. 216. In effect November 6, 1890. Franchise to Sunset Telephone and Telegraph Company. Term 25 years. To erect, or lay, maintain and operate in the City of Fresno, including all the streets, alleys, avenues and thoroughfares thereof, poles, wires and other conductors for the transmission of electricity for telephone and telegraph, but not for electric lights or motors.

Ordinance No. 230. In effect March 18, 1891. Forfeitures of franchise.

Grant, May 20, 1889, per Ordinance No. 141, to Fresno Railroad Company, a corporation.

Grant, December 23, 1889, per Ordinance No. 164, to J. R. White and E. B. Perrin.

Grant, June 27, 1890, per Ordinance No. 204, to Fresno Railroad Company, a corporation.

Ordinance No. 231. In effect April 22, 1891. Franchise to San Joaquin Valley Railroad Company. Repealed by 238.

Ordinance No. 232. In effect April 9, 1891. Franchise to Fresno Railroad Company. Term 50 years. Commencing at a point where a line in the center of Inyo Street intersects a similar line in the center of I Street, and thence on a line in the center of Inyo Street, northeasterly to City limits of Fresno, together with the right of way necessary therefor, and for turnings, turnouts, etc., of proper widths. Forfeited by 263.

Ordinance No. 238. In effect May 21, 1891. Franchise to San Joaquin Valley Railroad Company. Term 50 years. Beginning at a point on the West side of Cherry Avenue due west of the point where the north line of Braly Street intersects Cherry Avenue; thence in a northeasterly direction across Cherry Avenue intersecting the west line of Block 5 of Woodward's Addition, according to the official plat thereof now on file and of record in the County Recorder's office of Fresno County, State of California; thence continuing in a northeasterly direction to Anna Street

in said Woodward's Addition to a point 25 feet, a little more or less, south of the northeast corner of said Block 5 in said Woodward's Addition, thence across Hamilton Street in said Woodward's Addition in a north-easterly direction to the center of San Diego Street, as the same is designated on the plat of the City of Fresno, now on file and of record in the County Recorder's office of said Fresno County, State of California, and continuing along the center of said San Diego Street to a point where K Street in said City of Fresno, intersects said San Diego Street; thence curving gradually to the southeasterly corner of Block 196 of said City of Fresno, thence across L Street in the said City of Fresno to a point on the southwesterly line of Block 189 in said City of Fresno, fifty feet, a little more or less, north of the southwesterly corner of said Block 189; thence crossing said Block 189 to a point on the northeasterly line of said Block last mentioned 175 feet, a little more or less, north of the southeasterly corner of said Block 189; thence across M Street on a straight line to a point 160 feet, a little more or less, south of the northwest corner of Block 187 in said City of Fresno; thence across said Block 187 to a point 18 feet, a little more or less, south of the northeasterly corner of said Block 187, thence across N Street due north crossing O Street, Monterey Avenue, P Street, San Benito Avenue, Q Street, Santa Clara Avenue, R Street, Ventura Avenue, S Street, Mono Street, T Street, Inyo Street, U Street, Kern Street; thence curve gradually in a north-easterly direction to the easterly line of the City limits of the City of Fresno.

Ordinance No. 250. In effect February 18, 1892. Forfeiture of certain franchise.

Grant, Ordinance No. 214, passed September 1st, 1890.

Ordinance No. 255. In effect May 20, 1892. Franchise to Fresno Electric Railway Company. Term 50 years. Commencing at the intersection of the easterly end of Tulare Street with the City Limits, running thence southwesterly along the center of said Tulare Street to K Street; thence along K Street to Mariposa Street; thence along Mariposa Street to H Street; thence along H Street to Ventura Street; thence along Ventura Street to C Street; and thence along C Street to the southerly limits of said City. Also commencing at the Southern Pacific Depot on Mariposa Street in said City of Fresno, and running thence along Mariposa Street to J Street; thence along J Street to Tuolumne Street; thence along Tuolumne Street to O Street; thence along O Street to the northerly limits of said City. Also commencing as last aforesaid, and running thence along Mariposa Street to J Street; thence along J Street north westerly to the City Limits. Also commencing at the junction of Tulare Street and the Railroad reservation, thence along Tulare Street to I Street; thence along I Street to Ventura Street, thence northeasterly along Ventura Street to City limits. Forfeited by 263.

Ordinance No. 258. In effect June 20, 1892. Franchise to San Joaquin Valley Railroad Company. Term 50 years. Commencing at a point on the southerly side of Hamilton Street at the intersection of San Diego Street; thence in a northerly direction along said San Diego Street and the sidewalks thereof on its westerly side to a point where the west line of San Diego Street crosses the alley in Block 196 in the said City of Fresno crossing Hamilton, J. K and L Streets and the Streets and the sidewalks thereof, at their intersection with San Diego Street, and across L Street and the sidewalks thereof, between San Diego and Los Angeles Streets.

Ordinance No. 263. In effect December 7, 1892. Forfeitures of franchises.

Grant, February 10, 1890, per Ordinance No. 174, to J. G. Rhodes.

Grant, April 6, 1891, per Ordinance No. 232, to Fresno Railroad Company.

Grant, May 2, 1892, per Ordinance No. 255, to Fresno Electric Railway Company.

Ordinance No. 274. In effect March 7, 1893. Franchise to D. J. Canty. Term 10 years. To erect, maintain and operate in connection with and in the vicinity of the Hughes Hotel in said City of Fresno, a machine with necessary appurtenances and appliances to be used in manufacturing gas for the purposes of fuel and illumination.

Ordinance No. 310. In effect July 18, 1895. Forfeiture of franchise granted to W. S. McMurty, Jr., by Ordinance 134.

Ordinance No. 312. In effect September 6, 1895. Franchise to San Joaquin Electric Company. Term 50 years. To build, erect, construct, equip, operate and maintain poles, masts, wires and conduits in the streets, alleys and public places.

Ordinance No. 320. In effect March 23, 1896. Franchise to San Francisco and San Joaquin Valley Railway Company. Term 50 years. From a point beginning at the southwest corner of the Shanklin Addition to the City of Fresno, thence on a curve with radius of 1146 feet across Silvia Street and Tuolumne Street, and after crossing Block 150 across the east side of Q Street at the intersection of Merced Street, thence on the center line of Q Street to the east boundary of the City; also two side tracks on said Q Street from Tulare Street to the east boundary of the City; one of said side tracks eighteen feet from the center of said Q Street on the west side thereof and one of said side tracks fifteen feet from the center of said Q Street on the east side thereof; and also side tracks across Kern, Inyo, Mono, Ventura and Santa Clara Streets on each side of Q Street to connect the tracks of said Company to be laid on and across blocks 144, 143, 142, 141, 140, 158, 157, 156, 155, 154; said streets and blocks being all described according to the official map of the town, now city of Fresno on file and of record in the office of the County Recorder of said Fresno County.

Ordinance No. 333. In effect September 18, 1897. Franchise to Mt. Whitney Telephone and Power Company. Expired July 31, 1889. To erect, construct, maintain and operate thereon lines and wires in, through, over and upon and along, across and under all the streets, roads, avenues, lanes and highways.

Ordinance No. 355. In effect September 7, 1899. Forfeiture of certain franchises.

Grant to George L. Bradley, et al., per Ordinance No. 41 as amended by Ordinances Nos. 56 and 202.

Ordinance No. 377. In effect August 16, 1900. Franchise to G. W. Hooven. Term 50 years. To construct, maintain, lay down and operate by means of steam locomotives a spur or side track over, along, upon and across Hamilton Street, from a point where the Pollasky Branch of the Southern Pacific Railroad Company crosses said Hamilton Street, to the easterly line of Mary Street; also along, over, upon and across Anna Street, Isabella Street, Sarah Street and Mary Street, where the same are intersected by said Hamilton Street; also along, upon, over and across that certain strip of land designated as a street on the map or plat of Woodward's Addition filed in the office of the County Recorder of the County of Fresno, State of California, on the 7th day of March, 1887, and recorded in Vol. I of Maps at page 20 thereof, records of Fresno County unnamed, lying between the easterly line of Blocks 1, 10, 11 of said Woodward's Addition and the City limits, where the same would be intersected

by said Hamilton Street were said Hamilton continued easterly in a straight line through Block one of Woodward's Addition to the City limits.

Ordinance No. 387. In effect July 6, 1901. Franchise to S. N. Griffith, et al. Term 50 years. Commencing at the intersection of Mariposa and J Streets and running southwesterly along Mariposa Street to and on H Street; thence northwesterly along H Street to and on Merced Street; thence southwesterly along Merced Street to and on F Street; thence northwesterly along F Street to and on Sutter Street to and across G Street and continuing northeasterly across South Avenue to and across East Avenue and to and across West Avenue to and upon Nielsen Avenue; thence easterly along Nielsen Avenue to and on the street running north and south along east side of Block (4) of Central Addition, said Street being the northerly extension of K Street; thence on and along said last named street to and on Voorman Avenue; thence westerly along Voorman Avenue to and on Van Ness Avenue; thence north along Van Ness Avenue to and on Belmont Avenue; thence east along Belmont Avenue to and on Blackstone Avenue. Commencing at the intersection of Fresno Street and Belmont Avenue; thence south along Fresno Street to and on McKenzie Avenue; thence east along McKenzie Avenue to and on First Street; thence south along First Street to and on Ventura Street; thence west along Ventura Avenue to the intersection of Gilbert Street and Ventura Avenue; thence southwesterly along Ventura Avenue to and on P Street; thence southeasterly along P Street to and on San Benito Avenue; thence southwesterly along San Benito Avenue to and on N Street; thence southeasterly along N Street to and on Los Angeles Avenue; thence southwesterly along Los Angeles Avenue to and on F Street; thence northwesterly along F Street to and on Merced Street. Commencing at the intersection of Mariposa and J Streets and running northwesterly along J Street to and on Stanislaus Street; thence northeasterly along Stanislaus Street to and on P Street; thence north across Silvia Street to and on Abby Street; thence north along Abby Street to and on McKenzie Avenue; thence east along McKenzie Avenue to and on Fresno Street; thence south along Fresno Street to and on Silvia Street; thence southwesterly along said Fresno Street to and on H Street. Commencing at the intersection of Stanislaus Street and K Street; thence northwesterly along K Street to the southwesterly limits of Central Addition, the same being the northerly extension of K Street, to and on a street running north and south along the east side of block 11 in said Central Addition; thence running north along said last named street to and on Nielsen Avenue. Beginning at the intersection of Ventura Avenue and P Street; thence northwesterly along P Street to and on Mono Street. Beginning at the intersection of Mariposa and H Streets; thence southeasterly along H Street to and on Tulare Street; thence northeasterly along Tulare Street to and on K Street; thence northwesterly along K Street to and on Mariposa Street. Beginning at the intersection of Mariposa and J Streets and running thence southeasterly along J Street to and on Los Angeles Avenue. Commencing at the intersection of Mono Street and J Street and running thence northeasterly along Mono Street to and on P Street; thence northwesterly along P Street to and on Fresno Street. Commencing at the intersection of Mariposa and J Streets and thence northeasterly along Mariposa Street to and on K Street; thence along K Street to and on Stanislaus Street. Beginning at the intersection of I Street and Tulare Street; thence running northwesterly along I Street to and on and across Eldorado Street to the southerly line of Central Addition; thence north on a street between blocks 12 and 13 in said Central Addition to and on Nielsen Avenue.

Ordinance No. 414. In effect March 11, 1902. Franchise to Fresno City Railway Company. Term 25 years. Beginning at the intersection

of Belmont Avenue and Abbey Street at the northerly limits of the City of Fresno, Fresno County, State of California, running from thence south along, over and upon said Abbey Street to Silvia Street, thence across Silvia Street to Stanislaus Street; thence in a southerly direction along, over and upon said Stanislaus Street to J Street; thence in an easterly direction along, over and upon said J Street to San Diego Avenue. Beginning at the intersection of Belmont Avenue and Fresno Street, sometimes called Toll House Road, at the City limits of the City of Fresno, and running from thence south along, over and upon said Fresno Street or Toll House Road to Silvia Street; thence across Silvia Street in a southerly direction along, over and upon said Fresno Street to P Street; thence easterly along, over and upon said P Street to San Benito Avenue. Beginning at the intersection of J Street and Mariposa Street, and running thence along, over and upon said Mariposa Street to the south line of H Street, to a point where said H Street touches the reservation of the Southern Pacific Company. Beginning at the intersection of P Street and Tulare Street, and running from thence along, over and upon said Tulare Street to C Street. Beginning at the intersection of Los Angeles Street and F Street, and running from thence in a westerly direction along, over and upon said F Street to Merced Street, thence northerly along, over and upon said Merced Street to J Street. Beginning at the intersection of Stanislaus Street and K Street, and running thence westerly along, over and upon said K Street to the southerly line of Central Addition, to the street running north and south on the dividing line between Block 4 and Block 5 and Block 11 in said Central Addition; thence north along, over and upon said last named street to Voorman Avenue; thence west along, over and upon said Voorman Avenue to and on Van Ness Avenue; thence north along, over and upon said Van Ness Avenue to and upon Belmont Avenue to the City limits of the said City of Fresno. Beginning at the intersection of P Street and Ventura Avenue; thence easterly along, over and upon said Ventura Avenue to Gilbert Street; thence across said Gilbert Street, and along said Ventura Avenue to the easterly limits of the said City of Fresno. Beginning at the intersection of P Street and Fresno Streets; and running from thence along, over and upon said Fresno Street to J Street. Beginning at the intersection of P Street and Mono Street and running from thence southerly along, over and upon said Mono Street to the intersection of said Mono Street and J Street.

Ordinance No. 417. In effect April 29, 1902. Franchise to Fresno City Railway Company. Term 25 years. Beginning at the intersection of Tulare and P Streets in said City of Fresno running from thence in an easterly direction along, over and upon said Tulare Street and to and upon R Street, thence in a southerly direction along, over and upon said R Street to and upon Ventura Street. Beginning at the intersection of Tulare and R Streets running from thence in a northerly direction along, over and upon said R Street to and on Fresno Street. Beginning at the intersection of Tulare and N Streets and running from thence northerly along, over and upon N Street to and upon Fresno Street.

Ordinance No. 422. In effect October 6, 1902. Franchise to Fresno City Railway Company. Term 25 years. Beginning at the intersection of J Street and Forthcamp Avenue, in said City of Fresno, running from thence in a northerly direction along, over and upon said Forthcamp Avenue to and upon Belmont Avenue. Beginning at the intersection of O, Stanislaus and Blackstone Streets, in said City of Fresno, running thence in a north direction along, across and upon said Blackstone Street to and upon Belmont Avenue.

Ordinance No. 426. In effect December 29, 1902. Franchise to Fresno City Railway Company. Term 25 years. Beginning at the intersection

of Blackstone and McKenzie Avenue, in said City of Fresno, running from thence in an easterly direction, along, over, and upon said McKenzie Avenue, to and upon First Street, sometimes called East Avenue, to the City limits of the said City of Fresno. Beginning at the intersection of Tulare and P Streets, in said City of Fresno, running from thence in a westerly direction along, over and upon said P Street to and upon Stanislaus Street, thence west along, over and upon said Stanislaus, to and upon O Street. Beginning at the intersection of Los Angeles and F Streets, in said City of Fresno, running from thence in a southeasterly direction, along, over and upon said F Street, to the City limits of the City of Fresno.

Ordinance No. 441. In effect July 20, 1903. Franchise to Atchison, Topeka and Santa Fe Railway Company. Term 41 years from and after the 26th day of February, 1903. A spur track commencing for its center at a point on the existing track of the Atchison, Topeka and Santa Fe Railway Company on Santa Fe Avenue at a point about Eighty (80) feet northwesterly from the northwesterly line of Inyo Street (extended across said Santa Fe Avenue) and on or near the southwesterly line of said Santa Fe Avenue, and running thence southeasterly on a suitable curve to a point on the northwesterly line of Inyo Street, distant eight and one-half ($8\frac{1}{2}$) feet northeasterly from the southwesterly line of Santa Fe Avenue and continuing thence southeasterly parallel to, and distant eight and one-half ($8\frac{1}{2}$) feet from said southwesterly line of said Santa Fe Avenue to the northwesterly line of Mono Street (extended across said Santa Fe Avenue.)

Ordinance No. 449. In effect February 15, 1904. Franchise to Southern Pacific Railroad Company. Term 25 years. Commencing at a point on the track of the Fresno City Railway Company on Ventura Avenue, 100 feet, more or less east of the east line of Gilbert Street; thence curving to the left with two tracks across Ventura Avenue and entering the right of way of the Southern Pacific Railroad Company, and thence to a connection with the track of the last named company.

Ordinance No. 450. In effect February 15, 1904. Franchise to Fresno Traction Company. Term 25 years. Beginning at the intersection of J and Tulare Streets at or near the center line of J Street, and connecting with the street railroad and franchise thereon, and running from thence in a northeasterly direction, over and upon Tulare Street in said City, to, over, upon and across K Street therein, and to a point thirty feet, a little more or less, east of the easterly line of K Street, and connecting with the Street railway and franchise on Tulare Street at said point.

Ordinance No. 474. In effect December 19, 1904. Franchise to Atchison, Topeka and Santa Fe Railway Company. Term 41 years from and after the 26th day of February, 1904. A spur track commencing for its center at a point on the northwesterly line of Mono Street (extended across Santa Fe Avenue), distant eight and one-half feet northeasterly from the southwesterly line of Santa Fe Avenue, (being the center of the end of the spur track now existing at said point), and extending southeasterly parallel to and distant eight and one-half feet from said southwesterly line of said Santa Fe Avenue to the southeasterly line of the (said) City limits, being the northeasterly line of the right of way of what is known as the Pollasky Branch of the Southern Pacific Company.

Ordinance No. 485. In effect August 7, 1905. Franchise to Southern Pacific Railroad Company. Term 50 years. Commencing on San Diego Avenue, on Pollasky branch, where San Diego Avenue intersects K Street, thence westerly along San Diego Avenue, on slight curve, crossing J and Hamilton Streets, Cherry Ave. and I Street, to intersection with main line of Southern Pacific Railroad; providing for two spur tracks.

Ordinance No. 498. In effect January 18, 1906. Franchise to California Products Company. Term 25 years. Grants franchise to lay spur track from Pollasky branch, along Hamilton, Anna, Isabella, Sarah and Mary Streets, in Woodward's Addition, to City limits.

Ordinance No. 508. In effect April 12, 1906. Franchise to Fresno Traction Company. Term 25 years. Grants street railroad franchises on portions of I Street, M Street, Fresno Street, F Street, Sacramento Street and Merced Street.

Ordinance No. 573. Franchise to F. S. Granger. Term 25 years. For interurban railroad. Forfeited.

Ordinance No. 592. In effect November 9, 1909. Franchise to Fresno, Hanford and Summit Lake Interurban Railway Company. Term 25 years. Commencing at southeast City limits, thence along Cherry Ave., to I Street, thence along I Street to Monterey Ave., thence along Monterey Ave. to H Street, thence along H Street to Tulare Street, thence along Tulare Street to I Street, thence along I Street to Monterey Avenue.

Ordinance No. 593. In effect February 26, 1909. Franchise to Atchison, Topeka and Santa Fe Railway Company. Term 37 years. Franchise for five switch tracks adjacent to and connecting with the main line of said railway on the reservation thereof.

Ordinance No. 604. In effect February 19, 1910. Franchise to Fresno Traction Company. Term 25 years. Granting franchises on portions of Inyo Avenue, U Street, Fresno Avenue, C Street, and F Street.

Ordinance No. 610. In effect April 14, 1910. Franchise to Fresno Traction Company. Term 25 years. Granting franchises on portions of Blackstone Ave., Tulare Street, and Anna Street.

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